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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK, and developments related thereto, from 16 April to 15 July 2015.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, all communities in Kosovo and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the statement by the President of the Security Council of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes work closely with the Mission.

II. Key political developments

3. The main political developments in Kosovo during the reporting period revolved around the European Union-facilitated dialogue between Belgrade and Pristina at prime ministerial level, important legislative processes and the eventual failure of the Assembly of Kosovo to approve a constitutional amendment for the establishment of a specialist court.

4. Further progress was made in the implementation of the First Agreement of Principles Governing the Normalization of Relations of 19 April 2013, although full implementation of some of its key provisions remained pending.

5. A constitutional amendment aimed at enabling the establishment of a specialist court was submitted to the Legislative Committee of the Kosovo Assembly, and forwarded to the Assembly for adoption on 13 May. The court will try cases investigated by the European Union Special Investigative Task Force in the context of war crimes and organized crime allegations contained in the report of January

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2011 of the Special Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe, Dick Marty. An Assembly session was first convened on 29 May to take action on the proposed amendment, but was postponed to 19 June, when the government submitted, for information purposes, two related draft laws. At that time, the government informed the Assembly that the draft laws would be formally submitted upon the adoption of the constitutional amendment. On 26 June, the amendment was put to a vote in the Assembly, and received 75 votes in favour, short of the required two-thirds majority of 80 votes (including two thirds of non-majority community representatives); seven members voted against and two abstained. The negative votes and abstentions were cast by members of the Democratic Party of Kosovo, led by the Deputy Prime Minister, Hashim Thaçi. Opposition parties took part in the lively debate but chose not to participate in the vote. The Prime Minister, Isa Mustafa, the European Union and representatives of most of the key recognizing countries expressed disappointment at the Kosovo Assembly's failure to adopt the amendment. By the end of the reporting period, uncertainty prevailed on the timing and outcome of a possible further vote, while consultations were continuing to enable a successful repeat vote.

6. Belgrade and Pristina continued their high-level engagement in the European Union-facilitated dialogue, their representatives meeting in Brussels on 21 April, 23 June and 29 June, under the auspices of the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini. The parties discussed mutual progress in implementation, including on the integration of the judiciary and civil protection personnel. Arrangements were also made for the creation of two new administrative boundary line crossing points, as well as for the harmonization of vehicle insurance policies. The discussions also covered extant issues in the areas of telecommunications and energy, and examined possible agreement on the use of the main bridge in Mitrovica for vehicular traffic. Progress was also made towards the establishment of the association/community of Serb-majority municipalities, although differences remained on the legal framework and the range of functions of the community/association. Both parties reaffirmed their commitment to maintaining efforts to resolving these differences.

7. On 23 April, following political discussions with Kosovo Albanian ruling parties, Kosovo Serb representatives from the Serbian Civic Initiative resumed full participation in the Kosovo government and Assembly after an absence of two months, enabling the governing coalition to proceed with pressing matters, including promoting its extensive legislative programme. After being nominated by the Serbian Civic Initiative on 24 April, Dalibor Jevtić was appointed by Prime Minister Mustafa as the new Minister for Communities and Return.

8. On 9 May, the Serbian and Kosovo Chambers of Commerce met in Graçanicë/Gračanica and signed an annex to an existing memorandum of understanding intended to promote increased commercial opportunities, including through an exchange of representatives. Following three further meetings of the two Chambers in June, the respective representatives have been designated and are expected to establish their offices soon in the coming period.

9. Amid other legislative activity, on 25 May, the Assembly of Kosovo adopted a resolution establishing its geographic demarcation with Montenegro. In the resolution the Assembly recognized the delineation as corresponding to the 1974 Socialist Federal Republic of Yugoslavia's former administrative boundary, in harmony with current Kosovo legislation.

10. On 27 May, the government of Kosovo approved a package of constitutional amendments on the transformation of the Kosovo Security Force into the Kosovo Armed Forces. The amendments matched those approved by the preceding government, as well as by the Constitutional Court in 2014.

11. On 30 April, the European Commission adopted the stabilization and association agreement proposal for Kosovo, which now requires approval by the European Council before being forwarded to the European Parliament for endorsement. The government continued discussions with the European Union on visa liberalization and, early in June, submitted its latest report on progress towards meeting the requisite criteria.

12. Significant steps were taken on regional cooperation in socioeconomic development and security. On 21 April, six Prime Ministers of the Western Balkans met in Brussels, in the presence of European Union Commissioners Johannes Hahn and Violeta Bulc, and agreed on steps to improve the regional transport network, a key factor in regional economic growth. The Prime Ministers reaffirmed their commitment to the maintenance of good-neighbourly relations, regional cooperation, and progress towards European integration.

13. On 19 and 20 May, the first regional summit on countering violent extremism was hosted in Tirana, bringing together interior ministers and security officials from the Western Balkans, including the Kosovo Minister of the Interior, Skënder Hyseni.

14. On 26 May, the President of Kosovo, Atifete Jahjaga, participated in the annual summit of the South-East European Cooperation Process in Tirana, where she highlighted current security challenges, including radicalization and extremism, and called for further regional cooperation in addressing security-related matters.

15. On 27 May, the Prime Minister of Serbia, Aleksander Vučić, paid an historic State visit to Albania, the first at this level, and held a range of talks on subjects including joint infrastructure projects and the two countries' respective steps towards European Union integration.

16. Following the major violent incidents involving persons from Kosovo in Kumanovo, in the former Yugoslav Republic of Macedonia, on 9 and 10 May, the Kosovo police on 15 May conducted a search operation at 38 locations in Kosovo, questioning persons and gathering evidence. Prime Minister Mustafa and some other Pristina leaders condemned those who had been involved in the activities leading to the incidents, and called for international support for the investigation. On 25 and 26 May, the Association of War Veterans of the Kosovo Liberation Army (KLA) participated in well-publicized burial ceremonies, mainly in the "Martyrs Cemetery", for those Kosovo residents killed during the Kumanovo incident, some of the participants wearing KLA uniforms and insignia. Some members of the Kosovo Assembly, municipal officials and representatives of some political parties also participated and delivered statements. On 7 July, Kosovo police arrested a citizen of the former Yugoslav Republic of Macedonia on an international warrant issued by the latter country for involvement in the May incidents. The suspect, who had previously escaped from police custody in the former Yugoslav Republic of Macedonia, was apprehended in Letnicë/Letnica, Viti/Vitina municipality, near the crossing point between Kosovo and the former Yugoslav Republic of Macedonia.

III. Northern Kosovo

17. On 24 April, after protracted discussions with Pristina officials, all four Municipal Assemblies adopted revised budgets, which foresaw salaries in the health and education sectors in conformity with Kosovo law, but excluding salaries for those health and education workers who are being paid by Serbia. Municipal bank accounts were unblocked on 15 May. Some municipalities, however, continued to face difficulties executing their budgets, including on account of a lack of familiarity with the government of Kosovo's public finance software, which in turn lacks instructions in the Serbian language. By the end of the reporting period, the mayors of all municipalities had signed the required memoranda of understanding with relevant line ministries to access more than half of the €15 million allocated within the Kosovo budget for capital investment projects. The prolonged delay in finalizing the municipal budgets had some negative impact on negotiations for capital investment funds. The mayors of the four northern municipalities also participated in a series of discussions with relevant Kosovo ministries regarding the European Union-sponsored development fund for northern Kosovo.

18. The mayors of South and North Mitrovica continued to engage in practical cooperation on critical issues affecting their respective constituencies, including construction activities in the ethnically mixed area of Brdjani/Kroi i Vitakut, and in the aftermath of security incidents that occurred in Mitrovica from 9 to 13 April. On 30 April, the mayors agreed to refer construction activities to a high-level committee and to introduce a moratorium on construction in the neighbourhood until the committee had considered the matter. On 3 June, a working group of the Interministerial Commission for Return was established by the government of Kosovo in order to address the issue. Despite the moratorium, a Kosovo Albanian attempted to resume construction on 22 June but, after intervention by both mayors, activities were halted and remain suspended. On 14 July, the Working Group for the Return of Displaced Persons in Brdjani/Kroi i Vitakut had its first meeting. The Mayor of North Mitrovica's proposal to make the Kosovo police part of the group was unanimously adopted and a three-month timeline to resolve the issue was set.

19. On 10 June, the remains of Isa Boletini, an Albanian historic figure, were reburied in Zvečan/Zveçan municipality. After several months of coordinated preparations, in which the Mother Superior of the Serbian Orthodox Monastery of Sokolica participated, and despite some apprehension in both communities, the event proceeded without incident, thanks largely to the deterrent measures taken by KFOR and other actors.

20. UNMIK continued to facilitate meetings between Serbian-run and Kosovo forestry agencies to address illegal logging and to discuss trade in timber between the northern municipalities and the rest of Kosovo, which is currently hampered by a lack of integration of the forestry sector into Kosovo's institutional framework.

21. As part of its confidence-building projects, UNMIK implemented several initiatives to foster dialogue among the communities in northern Kosovo. These included a project, co-funded by the municipality of South Mitrovica and KFOR, called "Keep Mitrovica rivers clean", in which 45 people, including 6 women, from different communities in North and South Mitrovica came together in May and June to remove over 600 tons of waste from four rivers in the region. The project also raised awareness on environmental issues in local schools and events celebrating Earth Day and Kosovo Cleaning Day.

IV. Security

22. The security situation in Kosovo remained generally stable: a number of largely peaceful anti-government protests were held, and there were several incidents affecting minority communities.

23. On 19 April, Kosovo police proactively intervened to prevent an escalation of scuffles in North Mitrovica between two small groups of Kosovo Albanian and Kosovo Serb juveniles. On 28 April, as a result of a joint Kosovo police-Kosovo Security Force search operation, authorized by KFOR, the body of a Kosovo Albanian juvenile, who had disappeared in North Mitrovica on 10 April, was discovered by Kosovo Security Force divers in the Ibër/Ibar River near Grabovac/Graboc village in Zvečan/Zveçan municipality. On 30 April, the mayors of both North and South Mitrovica attended the funeral held in North Mitrovica. In the evening of 11 June, in North Mitrovica, shots were fired at the premises of the news portal KoSSev, which resulted in material damages.

24. South of the Ibër/Ibar River, several anti-government protests passed off peacefully. On 18 April, opposition parties organized a rally attended by 1,500 people protesting, inter alia, against the establishment of the association/community of Serb-majority municipalities. On 28 May, approximately 3,000 people temporarily blocked the main road in Skenderaj/Srbica in protest at the Drenica verdicts (see para. 38 below). On 29 May and 17 June, some 250 to 300 protesters, including members of the Association of War Veterans of KLA, rallied in Pristina against the establishment of the specialist court. On 20 June, an attempted blockade of the main Pristina-Skopje road near Kaçanik/Kačanik by about 150 members of the Association of War Veterans was forcibly dispersed by the Kosovo police using tear gas. Several protesters were injured, including the Head of the Council for the Protection of the Rights of KLA Fighters.

25. With regard to incidents affecting non-majority communities, the Pejë/Peć region remained the most affected. While in April and May a spike in incidents targeting Kosovo Serb returnees was reported in Klinë/Klina municipality, totalling 13 incidents, in June the highest number of such incidents was recorded in Pejë/Peć municipality, with 17 burglaries. In Klinë/Klina municipality, Kosovo police increased patrols in affected areas and deployed additional police officers from Pristina, including Kosovo Serb officers, to strengthen the capacity of the local police force. However, no similar measures have yet been taken with regard to Pejë/Peć. On 9 and 10 July, three incidents of concern affected the Kosovo Serb community in Gorazhdevc/Goraždevac, Pejë/Peć municipality. Shots were fired at a parked Belgrade-registered vehicle, owned by an internally displaced Kosovo Serb from Gorazhdevc/Goraždevac; a monument dedicated to Kosovo Serb victims of the 1999 conflict and two Kosovo Serb youth killed on 11 August 2003 was damaged; and the word *hakmarrja* (Albanian for "revenge") was sprayed on the external wall of a house owned by a Kosovo Serb. It remains unclear whether these incidents are related and the perpetrators are still unknown. Representatives of the Kosovo authorities promptly condemned these acts. On 14 July, in Gorazhdevc/Goraždevac village, Pejë/Peć municipality, while approaching the scene of a burglary in progress, a Kosovo police patrol came under fire from an automatic rifle by a known fugitive. One police officer was wounded, and the search for the perpetrator continues.

26. On 31 May, the Kosovo police discovered and defused an explosive device some three kilometres from the ruins of the Holy Trinity Monastery in Mushitishtë/Mušutište village, Suharekë/Suva Reka municipality. The incident occurred immediately before a visit to the site by a group of some 100 Kosovo Serb internally displaced persons to mark the feast of the Holy Trinity at the ruins of the monastery. The Deputy Prime Minister, Branimir Stojanović, and the Minister for Communities and Return also attended the liturgy.

27. The number of incidents affecting religious sites decreased slightly compared with the previous reporting period. A total of 22 incidents affected religious sites, of which nine affected Serbian Orthodox sites, four Islamic sites and four Roman Catholic sites as well as five other cultural heritage sites.

28. On 11 July, three Kosovo Albanians were arrested near Badovc/Badovac reservoir, which supplies water to Pristina, after Kosovo police found in their vehicles masks, military uniforms and black flags bearing inscriptions in Arabic. A Kosovo police counter-terrorism unit secured the lake perimeter and tests were conducted to assess the safety of the water. The Kosovo Institute for Public Health announced that no hazardous substances were detected. Later the same day, two more Kosovo Albanian suspects were arrested in relation to the case. Two of the five suspects had previously been arrested by Kosovo authorities on suspicion of participation in activities in Iraq and the Syrian Arab Republic. At the time, however, they were released for lack of evidence.

V. Rule of law

29. UNMIK continued to monitor activities and exercise some responsibilities in the area of the rule of law, and maintained technical cooperation with relevant institutions in both Pristina and Belgrade. UNMIK continued to provide document-certification services, both to Kosovo residents and at the request of countries which do not recognize Kosovo, primarily for the certification of civil status and academic and pension documents. A total of 857 such documents were processed from 16 April to 15 July 2015.

30. UNMIK continued to facilitate communications between the Kosovo authorities and the International Criminal Police Organization (INTERPOL). During the reporting period, UNMIK received 12 requests for international wanted notices while six INTERPOL "red notices" have been issued. UNMIK processed 51 new requests from Kosovo police and the Serbian Ministry of the Interior for verification of documents and assistance in criminal investigations.

31. Progress has been made in implementing the European Union-facilitated agreement on integration of the judiciary. By the deadline of 25 May, 112 candidates, the majority of whom are from former Serbian-sponsored judicial structures, had applied for 48 judge and 25 prosecutor positions. Interviews of candidates are under way. Vacancy announcements for support staff have not yet been published, owing to disagreements between Belgrade and Pristina over the management positions in the Basic Court and the Basic Prosecution Office of Mitrovica as well as over the number of Kosovo Serb support staff to be integrated in southern Kosovo. In addition, the Government of Serbia has yet to adopt legislation regulating the pensions of the staff still employed in its institutions. This

has further delayed the resignation of Kosovo Serb judiciary staff and their integration into the Kosovo system.

32. Some progress has also been observed with regard to the integration of civil protection personnel in view of the deadline of 1 September set in the Belgrade-Pristina agreement of 26 March. Under the agreement, Pristina is to integrate 483 of the 751 employees registered in Belgrade's records. The remainder will take early retirement with full pensions. Serbia has yet to adopt the law regulating the status of these civil protection staff. Nevertheless, 80 people have already been integrated into the Kosovo Agency for Emergency Management. In addition, by 11 June, three civil protection observation posts had been removed in the Leposaviq/Leposavić and Zvečan/Zveçan municipalities, as provided for in the agreement. The sole remaining post is located near the northern end of the main bridge in Mitrovica.

33. On 21 April, President Atifete Jahjaga appointed a new Chief State Prosecutor. His stated priorities include combating organized crime, corruption and terrorism. On 19 May, 41 new judges took the oath of office before the President. On 2 July, the Assembly of Kosovo elected a new Ombudsperson for a non-extendable term of five years.

34. On 7 May, the Special Prosecution Office of Kosovo indicted 32 individuals on terrorism charges, specifically allegations of joining, encouraging others to join or recruiting persons to fight in the Syrian Arab Republic, or raising funds for the Islamic State in Iraq and the Levant. On 5 June, the trial against 11 of the 32 defendants started before the Basic Court of Pristina.

35. On 13 May, the Office of the State Prosecutor announced a decision by the Kosovo Prosecutorial Council to establish a Department for War Crimes that will function within the Special Prosecution Office of Kosovo. There is currently only one designated prosecutor in the Department, however.

36. On 14 May, the Kosovo Ministry of Justice, the European Union Office in Kosovo/European Union Special Representative and EULEX co-signed a second Compact on Rule of Law in Kosovo. The document reiterates the joint rule of law objectives of the previous Compact, aimed at addressing issues of accountability, corruption, inter-ethnic crimes, organized crime, gender balance, ethnic inclusion, and development of the Kosovo witness protection system, as well as outstanding property-related claims.

37. During the reporting period, the main trial in the case of Oliver Ivanović and other defendants continued before a panel of EULEX international judges at the Basic Court of Mitrovica. The testimonies of 34 prosecution witnesses have been heard to date, and an additional 25 prosecution witnesses are scheduled to testify. The detention on remand of the defendants, Oliver Ivanović and Dragoljub Delibašić, was extended until 26 August and 4 September 2015, respectively. Oliver Ivanović has been in detention on remand since 28 January 2014.

38. On 27 May, a panel of EULEX international judges at the Basic Court of Mitrovica announced judgements in the Drenica I and II war crimes cases. In the Drenica I case, Sami Lushtaku, current mayor of Skenderaj/Srbica, was found guilty of murder and was sentenced to 12 years' imprisonment. Sylejman Selimi was found guilty in both cases and was sentenced to an aggregate punishment of eight years' imprisonment. In total, 11 of the 15 defendants in the two Drenica cases were found guilty.

39. On 12 June, the Appellate Panel of the Special Chamber of the Kosovo Supreme Court, composed of three local judges and two international EULEX judges, issued two split decisions in cases relating to ownership rights concerning land within and outside the special protective zone of the Visoki Dečani Monastery. The Appellate Panel upheld appeals filed by two socially owned enterprises, the Privatization Agency of Kosovo and the municipality of Deçan/Dečane, thus setting aside two previous judgements rendered by the Trial Panel of the Special Chamber of the Supreme Court of Kosovo in December 2012, which were hailed at the time as a sign of a maturing justice system in Kosovo. Those judgements had held that a settlement reached among the parties was binding. However, the Appellate Panel upheld the appeals against the jurisdiction of the Trial Panel to adjudicate the instant case, despite the fact that the Trial Panel had rendered several decisions in similar cases in recent years. The cases were instead sent for retrial in the Deçan/Dečane Branch of the Basic Court in Pejë/Peć. After almost 15 years of litigation, these decisions further delay the resolution of the cases and have given rise to serious concerns about the capacity of the Kosovo judiciary to handle this and other socially sensitive cases.

40. UNMIK held three coordination meetings with civil society on rule of law issues in northern Kosovo during the reporting period, on 15 April, 21 May and 25 June. A number of rule of law-related activities emerged from those meetings, including assistance to the North Mitrovica Detention Centre to continue with vocational training for inmates, and facilitation of cooperation between civil society and government institutions.

41. As at 25 June, a total of 1,654 persons are listed as missing from the Kosovo conflict, and UNMIK continued to support and encourage progress on the issue. The last session of the Belgrade and Pristina delegations to the Working Group on Missing Persons was held on 18 November 2014. The next session is expected to convene once Pristina appoints a new Chair for its delegation.

42. On 26 June, the Advocacy Centre for Democratic Culture, a non-governmental organization, organized a mock trial under Kosovo law at the Basic Court in North Mitrovica, as one of the UNMIK-funded confidence-building projects. The event involved 20 students majoring in Serbian law at the University of North Mitrovica, and it is hoped it will serve as a critical bridge for eventual Kosovo Serb participation in the Kosovo legal system.

43. On 10 July, the Kosovo Special Prosecutor filed charges of attempted terrorism against a Serbian citizen who was detained on 25 December 2014 in Pristina with explosive materials in his vehicle.

44. On 10 July, a new appeals panel of judges was appointed in the Kleçkë/Klečke case (involving Fatmir Limaj, a leader of the opposition party Initiative for Kosovo and member of the Assembly), consisting of a majority of EULEX international judges. Two high-profile cases continued before the Kosovo courts: the Gračanica 10 case and the "drug kingpin" case (involving Naser Kelmendi). Progress was also noted in cases involving public officials.

VI. Returns and communities

45. The Office of the United Nations High Commissioner for Refugees (UNHCR) recorded 132 individual voluntary returns to Kosovo in April, May and June,

consistent with the downward trends outlined in my previous report. The number included 78 Kosovo Serbs; 3 Kosovo Roma; 10 Kosovo Ashkali; 19 Kosovo Egyptians; 6 Kosovo Bosniaks; 9 Kosovo Goranis; 3 Kosovo Albanians; 3 Kosovo Turks; and one Kosovo Montenegrin. UNHCR estimates the total number of internally displaced persons living in Kosovo to be 17,063 at the end of June 2015. Of these, 543 reside in 32 collective centres in Kosovo.

46. UNMIK continued to monitor developments and issues affecting majority and non-majority communities through field visits and regular exchanges with local stakeholders. In addition to increasing its engagement with central authorities, UNMIK conducted a number of visits to municipalities across Kosovo, and met with representatives of local government, civil society and religious leaders. It discussed the situation of non-majority communities in the respective municipalities as well as the return and reintegration process, how language rights are being implemented, and issues related to education, property and inheritance rights, in particular the property rights of women.

47. Despite efforts to advance voluntary returns to Kosovo, the pace of returns continued to decrease during the reporting period. On 15 May, the government announced the establishment of the Interministerial Commission for Return, which held its first meeting on 3 June. The Commission established a working group on return with a view to strengthening the return process to locations in North and South Mitrovica as well as to Mushitishtë/Mušutište village. Early in June, the Minister for Communities and Return outlined the key strategic objectives of his Ministry for the coming year, which included setting a minimum target of returnee families for 2015.

48. Progress towards facilitating returns was also made at the local level, most notably within the framework of the fourth phase of the European Union return and reintegration housing project, which is co-financed by the European Union and the Ministry for Communities and Return, and implemented by the International Organization for Migration. Municipal task forces on return and municipal working groups on return met regularly. By the end of June, construction of 15 houses was completed in Istog/Istok and Shtërpcë/Štrpce municipalities and construction had commenced for another 31 houses in the municipalities of Obiliq/Obilić, Istog/Istok, Pejë/Peć, Klinë/Klina, Shtërpcë/Štrpce and Gjilan/Gnjilane.

49. With regard to the working group to develop procedures for the temporary validation and recognition of diplomas issued by the University of Mitrovica North, established by the government on 27 April, the group is expected to submit a draft normative act to the government for review and approval within six months. The process seeks to enable holders of such degrees, who are predominantly from non-majority communities, to be employed in public institutions.

50. The sharp increase in irregular migration from Kosovo to Western Europe, outlined in my previous report, continued to subside during this period, while, according to the International Organization for Migration, the number of repatriated migrants increased. At present, these irregular migrants are not eligible to receive assistance in the framework of the reintegration programme.

51. UNMIK implemented 20 confidence-building projects during the fiscal year 2014/15. One project funded and monitored by UNMIK supported the cooperation of law graduates of both Kosovo Albanian and Kosovo Serb communities in the

judicial system in Kosovo. Other projects encouraged dialogue and reconciliation, including through the refurbishment of a community centre in Leposavić/Leposaviq. UNMIK also co-financed the organization of the fourth International Interfaith Conference, which discussed ways to employ social media in countering extremism and improving the dialogue among religious and non-religious communities. The Mission also supported activities on forest regeneration, involving Kosovo residents from different communities in the fight against illegal logging. Other projects promoted reconciliation between communities through culture, reuniting different generations of musicians to revive a common musical history, as well as by building ties through a local "rock school" in Mitrovica and supporting the continuation of a Summer Music Academy in Pristina.

VII. Cultural and religious heritage

52. In April, the municipality of Prizren established the Office of the Historic Centre of Prizren, mandated to coordinate activities regarding the promotion, protection and development of the town's historic centre as a cultural heritage site. During the same month, the local Municipal Assembly allocated funding for the Cultural Heritage Council, which monitors and advises on cultural heritage preservation activities in the historic centre.

53. On 8 June, the Implementation Monitoring Council discussed developments regarding the special protective zone around the Peć Patriarchate, including ways to address illegal construction, and a request by the Kosovo Cadastral Agency to obtain detailed maps of such zones in Kosovo. Pursuant to the Council's decision, the unfinished building of the Christ the Saviour cathedral in Pristina, in which homeless persons had taken shelter, was cleaned on 4 and 5 June, and the keys were handed over to representatives of the Serbian Orthodox Church and the municipality of Pristina.

VIII. Human rights

54. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Leilani Farha, visited Kosovo on 26 and 27 May. She met stakeholders in the government, civil society and the international community. The Special Rapporteur focused on the situation of vulnerable and marginalized groups in Kosovo. She welcomed the inclusion of international human rights standards in Kosovo legislation, but expressed concern about the gap between the existing legal framework and its implementation. She observed that women in Kosovo face inequality, particularly in respect of their property rights.

55. On 21 and 22 April, a conference on the implementation of the legal framework on the protection of the rights of women and gender equality was held in Pristina. In her opening remarks, affirming Kosovo's advanced legal framework on these issues, the President of Kosovo concluded that enhanced efforts were required to guarantee the realization of equal rights of women and girls in Kosovo society and announced her intention to work towards the establishment of a fund for the education of girls and women.

56. On 15 May, the National Council for the Survivors of Sexual Violence during the War launched a collection of dresses and skirts, which contributed to the artistic installation *Thinking of You*, dedicated to survivors of sexual violence related to the conflict. The event, which was attended by the President of Kosovo, marked the beginning of a Kosovo-wide awareness-raising campaign.

57. On 28 May, the Assembly of Kosovo, with assistance from OSCE, adopted a human rights-related legal framework, the so-called "human rights law package", deriving from the European visa liberalization process. The package comprises new laws on gender equality, anti-discrimination and the Ombudsperson institution, as well as amendments to laws related to the composition and functioning of the judiciary. On 22 June, the government of Kosovo launched another key human rights-related document, the draft Kosovo strategy on property rights.

58. On 24 June, the United Nations Kosovo team launched a new joint programme on domestic violence, to be implemented in northern Kosovo by the United Nations Development Programme, the United Nations Population Fund, the United Nations Children's Fund, the United Nations Entity for Gender Equality and the Empowerment of Women and the Office of the United Nations High Commissioner for Human Rights. The joint programme will focus on strengthening the responsiveness of key municipal services related to domestic violence.

59. The UNMIK Human Rights Advisory Panel, which reviews complaints of human right violations allegedly committed by UNMIK from June 1999 to February 2008, delivered 16 opinions on 20 complaints. In 15 complaints, the Panel found that UNMIK failed to act in accordance with the procedural requirements of article 2 of the European Convention on Human Rights. In 12 complaints, the Panel also found that, by its failure, UNMIK contributed to the distress and mental suffering of the complainants and their families, in violation of article 3 of the European Convention on Human Rights. Since my last report, no progress has been made with regard to the Panel's recommendations relating to the payment of adequate compensation for moral damages suffered as a result of those violations. Furthermore, EULEX informed UNMIK that, owing to current legal constraints, it is unable to implement the Panel's recommendation on continuation of criminal investigations pertaining to cases before the Panel. By the end of June, the Panel had closed 474 cases, while 53 cases are outstanding.

IX. Observations

60. I welcome the continuation of the technical and high-level negotiations between Belgrade and Pristina in the framework of the European Union-facilitated dialogue, in particular the meetings held in June addressing outstanding issues of implementation, including the establishment of the association/community of Serb-majority municipalities, as well as issues related to energy and telecommunications. While the reporting period witnessed a comparatively slower pace of implementation on some of the issues, I am hopeful that the positive difference the dialogue process has already made on the ground will encourage both parties to remain steadfast in their commitments, and to tackle other challenging issues in the coming months.

61. The slow progress by Kosovo institutions during the reporting period towards the establishment of a specialist court is a major source of concern. The Assembly's

failure to adopt the requisite constitutional amendment marked a serious setback to Kosovo's commitment to basic principles of justice and accountability. Such delays are regrettable and undermine Kosovo's image and, as importantly, represent lost opportunities to set a good example of commitment to justice and accountability. As an important contribution to reconciliation, I urge all actors to redouble their efforts and rise to the responsibility of serving the fundamental and long-term interests of all residents of Kosovo.

62. I welcome the adoption by the European Commission of the proposal for a stabilization and association agreement with Kosovo, as well as continuing progress towards visa liberalization, as both are important signposts for the institutional reforms that Pristina continues to implement along its European path. I commend the Kosovo authorities, and the new government, for demonstrating an increasing ability to surmount short-term political considerations for the sake of longer-term objectives.

63. I am heartened by the examples of productive cooperation between the local leaders, in particular between the mayors of North and South Mitrovica. This positive and significant trend must be maintained and strengthened. Such initiatives, by concretely improving the daily lives of Kosovo citizens, help to reduce tensions and benefit all communities in Kosovo. UNMIK will continue its outreach and facilitation efforts, including through confidence-building projects, to support reconciliation at the community level.

64. The pace of work to ascertain the fate of those missing from the conflict should not falter. I urge the Kosovo authorities to appoint a new Chair for the Working Group on Missing Persons as soon as possible so that its work can continue apace. I also urge continuing the search for a means to compensate families who have lost their loved ones.

65. Kosovo and the region continue to face transnational challenges, in particular from youth radicalization and violent extremism. I welcome the ongoing efforts undertaken by the Kosovo authorities to address, in a systemic manner, the socioeconomic drivers which may be fuelling the recruitment activities of extremist groups; and also for engaging in law-enforcement measures directly aimed at addressing these challenges.

66. I note the strong condemnation by the Kosovo leadership of the involvement of Kosovo residents in the clashes in Kumanovo on 9 and 10 May, and the subsequent action by Kosovo police to support the ongoing investigation into those events. It is important that such incidents are not allowed to jeopardize the efforts to promote regional reconciliation and cooperation.

67. I express my gratitude to my Special Representative, Farid Zarif, for leading UNMIK with dedication and vision, and to all Mission personnel for their commitment and service. I am also thankful to members of the United Nations system and partners on the ground, including KFOR, EULEX, OSCE and the European Union, for their cooperation and continuing contributions to peace and progress in Kosovo.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

(covering the period from 16 April to 15 July 2015)

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued to undertake monitoring, mentoring and advising activities and to implement its executive functions in line with its mandate in the rule of law area. A number of verdicts were pronounced in organized crime, corruption and war crimes cases, including the announcement of the verdicts against the so-called "Drenica group". The case relates to the torture and mistreatment of civilian Kosovo Albanian detainees at the then Kosovo Liberation Army headquarters in Skënderaj/Srbica municipality, as well as the murder of a Serbian police officer and a Kosovo Albanian civilian. Defendants included high-profile politicians, such as the Kosovo Ambassador to Albania and the Mayor of Skënderaj/Srbica.

After a hiatus of one year, the Joint Rule of Law Coordination Board reconvened and signed the renewed Rule of Law Compact. The Mission provided advice to Kosovo police on the operational planning for several public order events during the reporting period, including several protests of Kosovo Liberation Army war veterans associations, the Vidovdan/St Vitus Day commemoration and the reburial ceremony of Isa Boletini on 10 June. Kosovo police were professional in preparing and executing their operational plans. The Mission advised the Kosovo Border Police to engage in better communication with the Kosovo Force (KFOR), in particular when it comes to the preparation of joint patrols with KFOR along the border/boundary. This is also to allow the Border Police a better understanding of the restrictions with respect to movements along the administrative boundary line deriving from the Military Technical Agreement between NATO and Serbia of 1999.

In northern Kosovo, the security situation remained relatively calm, without significant incidents. EULEX facilitated joint tactical medical training sessions involving Kosovo police quick-response team officers from Mitrovica North and South, fostering regional cooperation. In this respect, the Mission also provided monitoring, mentoring and advice to Kosovo police in their involvement in making the local public security committees fully operational by supporting a joint Mitrovica-wide working group on community policing.

Successful steps were taken in the implementation of European Union-facilitated dialogue agreements with support from EULEX. In the framework of the customs agreement, full implementation of the licensing regime for controlled goods, including medicine, was introduced during the reporting period. Both parties suggested and agreed to the opening of two additional interim crossing points by 2016. In the framework of justice integration, positions for prosecutorial and judges' positions were advertised and candidates interviewed. In the context of civil

protection integration, the first 80 applicants were integrated into the Agency for Emergency Management.

2. EULEX activities, April to July 2015

2.1 Executive

War crimes

On 27 May, following two separate year-long trials at Mitrovica Basic Court, the verdicts were pronounced in the war crimes case against the "Drenica group" including high-profile politicians, such as the Kosovo Ambassador to Albania and the Mayor of Skënderaj/Srbica. A panel of EULEX-only judges sentenced one defendant to 12 years' imprisonment for murder, while another defendant was sentenced to an aggregate punishment of eight years' imprisonment for war crimes, including repeated torture of a Kosovo Albanian civilian. Three defendants were sentenced to seven years' imprisonment for war crimes related to the torture and humiliating and degrading treatment of Kosovo Albanian civilians. Meanwhile, six defendants were all sentenced to three years' imprisonment for war crimes related to the maltreatment of detainees. The case, which was prosecuted by EULEX prosecutors from the Kosovo Special Prosecution Office, related to the torture and mistreatment of Kosovo Albanian civilians detained at the then Kosovo Liberation Army headquarters in Likoc/Likovac in the municipality of Skënderaj/Srbica in 1998, as well as to the killing of a Serbian police officer and a civilian. In total, 11 of the 15 defendants were found guilty by the Court. The prosecution acknowledged the courage of victims and witnesses in the case, who had faced significant challenges and intimidation.

Main developments in organized crime and corruption

On 28 April, a panel of one local and two EULEX judges at Prizren Basic Court started a trial against nine defendants charged with various offences, including issuing unlawful judicial decisions and abuse of official position.

Also on 28 April, a panel of one local and two EULEX judges at Ferizaj/Uroševac Basic Court ratified a guilty plea agreement between the Special Prosecution Office and a former Kosovo police sergeant. The defendant was sentenced to an aggregate punishment of five years' imprisonment for, inter alia, abuse of official position, accepting bribes and trading in influence. He will also be disqualified from being a police officer for 20 years and must perform 200 hours of community service. The case involves former police officers and their associates in Ferizaj/Uroševac. Three defendants have already pleaded guilty and the trial is continuing with regard to two other defendants.

On 26 May, a panel of one local and two EULEX judges at Pristina Basic Court found a former Kosovo judge at the then Pejë/Peć District Court guilty of accepting a bribe of €10,000 in order to guarantee termination of detention on remand against a number of defendants. He was sentenced to imprisonment for two years and three months.

On 3 June, a EULEX judge at Pristina Basic Court sentenced a defendant to imprisonment for four years and six months, a fine of €5,000 and sequestration of his vehicle. The trial is continuing against five other defendants charged with

organized crime, money-laundering and smuggling of migrants from Kosovo to Hungary, Austria, Germany and Italy. The case is led by a EULEX prosecutor in the Special Prosecution Office. On 12 June, a EULEX judge at Pristina Basic Court confirmed the indictment in the Kosovo Energy Corporation case against seven defendants suspected of various offences, including fraud and abuse of official position or authority. The case is led by a EULEX prosecutor from the Special Prosecution Office.

Other serious crimes cases

On 24 April, a panel of one local and two EULEX judges at Pejë/Peć Basic Court found two defendants guilty of tax evasion. They were sentenced to pay fines of €5,000 and €3,000 respectively as well as to imprisonment of one year and eight months and one year and six months, respectively. The imprisonment will not be executed if the defendants do not commit another criminal offence for three years and if they return to the Tax Authority of Kosovo the approximately €53,000 and €34,000 acquired through the commission of the offence.

On 4 May, a panel of two local judges and one EULEX judge at Prizren Basic Court started the trial against a defendant accused of extortion. The case relates to offences involving seven other defendants who have already stood trial in front of a EULEX-led panel.

Allegations found in the report of the Special Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe

The Special Investigative Task Force continued its criminal investigation into the allegations contained in the report of January 2011 authored by the Special Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe, Dick Marty. Individual criminal liability of those most responsible for the allegations made in the report remains the focus of the work of the Special Investigative Task Force. Work with injured parties, victim advocacy groups and individuals to gather information relevant to the investigation has continued apace. Cooperation with law enforcement and judicial authorities in the region and elsewhere remains satisfactory. Sustained cooperation from all parties remains critical for investigative and operational activities to continue to make progress.

David Schwendiman took up his post as lead prosecutor on 21 May. He has since held a series of introductory meetings with senior officials in European Union institutions and European Union member States. All interlocutors reiterated their support for the Special Investigative Task Force and assured Mr. Schwendiman that the Task Force would continue to receive the necessary resources to complete its investigation in an independent, impartial and professional manner. At his meetings Mr. Schwendiman endorsed Clint Williamson's investigative findings of July 2014, underlined his commitment to take forward the work already done by the Task Force and expressed his hope that the Specialist Chambers and the Specialist Prosecutor's Office will be established without further delay.

Following the judgement by the Kosovo Constitutional Court on 15 April that the draft constitutional amendments with regard to the establishment of the Specialist Chambers, which would adjudicate over the outcome of the investigation by the Special Investigative Task Force, do not breach human rights and freedoms set out in the Constitution, the Assembly Committee on Legislation approved the

proposed constitutional amendments. However, on 26 June, after a six-hour long debate, the Assembly of Kosovo failed to reach the required two-thirds majority necessary to adopt the constitutional amendments. Kosovo authorities reiterated their commitment to proceed with the establishment of the Specialist Chambers and to revert to the Assembly.

Department of Forensic Medicine

On 16 April, EULEX experts at the Department of Forensic Medicine met the families of 21 victims found in Raška, Serbia, in 2014. All identified remains have been handed over, although there is still one unidentified set of remains. EULEX forensic experts conducted site assessments in the municipalities of Istog/Istok, Pejë/Peć, Prizren and South Mitrovica. In Prizren nothing was found, whereas the remains found in South Mitrovica are not connected to the Kosovo conflict. An excavation is planned following the site assessment for a possible grave in Pejë/Peć. EULEX also assisted in the conduct of an excavation in Novi Pazar, Serbia, but no remains were found.

Property rights

During the reporting period, the Kosovo Property Agency Appeals Panel received 114 new appeals and adjudicated 45 appeals, while 453 appeals are pending a decision of the panel.

The Special Chamber of the Supreme Court for privatization matters rendered 362 decisions in trial panel cases and finalized 43 cases at the appellate panel level.

2.2 Strengthening

On the digitalization of civil registry records, the Mission continued to advise the Ministry of Internal Affairs that all citizens and all data from certified copies should be entered into the electronic system to satisfy crucial needs, for instance of law enforcement agencies. This should happen automatically and not be only event-driven (for example, upon birth, marriage or death). This is particularly important in cases where persons do not reside in the territory, but, for example, want to claim property rights. This is related to the ongoing digitalization of cadastres, which includes all data in hardcopy cadastre books.

Following EULEX advice to the Ministry of Internal Affairs, the issuance of visas at the crossing points has decreased to only six visas issued in the last six months, which constitutes good progress for Kosovo authorities in comparison to the situation reported in July 2014. As a relevant judicial database is still being established, EULEX advised the Ministry to create a specified channel for the flow of information between Kosovo authorities in the meantime, which comprises the Ministry of Justice, Kosovo police and the Civil Registry Agency.

The Mission advised the Kosovo Border Police to improve the communication with KFOR when it comes to the preparation of joint patrols along the border/boundary and the restrictions on the Border Police stemming from the Military Technical Agreement between NATO and Serbia of 1999, particularly with a view to the upcoming season for illegal logging.

As for the Kosovo Prosecutorial Council, an analysis of disciplinary hearings and disciplinary decisions against prosecutors during the period from November

2014 to March 2015 showed that, despite certain progress, the overall situation of the disciplinary system remains weak and it is still in need of significant improvements, including through amendments to the legislative framework. In May, the Mission conducted a workshop for investigators of the Anti-Corruption Agency to address weaknesses identified in the investigation techniques and the quality of investigation reports. In addition, the Mission collaborated with the United Nations Development Programme in organizing a workshop on disciplinary investigations for investigators from the Office of the Disciplinary Counsel/Prosecutor, the Police Inspectorate of Kosovo and the Anti-Corruption Agency in order to tackle some of the weaknesses of the disciplinary system.

The Kosovo Correctional Service, in an effort to adequately deal with the staffing shortage, acted upon the Mission's advice and appointed a working group on planning issues, including Service-wide staffing and budget needs, recruitment procedures and the transfer of staff of the Pristina Detention Centre to the High Security Prison. The Service agreed to pilot a new staffing roster system with the support of EULEX at the High Security Prison, which suffers most from a lack of staff. After the verdicts in the "Drenica group" trials, the convicted defendants were again given preferential treatment by the Kosovo Correctional Service and the Kosovo police, despite the Mission on numerous occasions advising consistently to the contrary.

Apart from the Kosovo Correctional Service not properly categorizing the "Drenica group" convicts, in accordance with its own regulation, by admitting them to Dubrava Correctional Centre instead of the High Security Prison, the issue of abuse of extended medical appointments at the University Clinical Centre of Kosovo in Pristina remains a source of concern.

In May, EULEX discussed with the senior management of the Kosovo police and international partners the current state of play of the Kosovo police Directorate of Organized Crime Investigation. It was unanimously agreed that the Directorate needed to establish a more proactive, intelligence-led approach in organized crime investigations and to increase positive investigation results. EULEX provided strategic advice to the Kosovo police on the operational planning for several public order events during the month, including several protests of Kosovo Liberation Army war veterans associations and the recurring Vidovdan/St Vitus Day commemoration on 28 June. The Mission assessed that the preparations and execution of operational plans reflected the professionalism of the Kosovo police as well as proper planning on their part.

2.3 The north

As part of its monitoring, mentoring and advising activities and outreach in the north, the Mission continued to meet regularly with political representatives, civil society, Kosovo police Regional Command North, the Kosovo Correctional Service at the Mitrovica Detention Centre and others. On 24 May, the Head of Mission met with Kosovo police and mayors and other officials in Mitrovica North, Leposavić/Leposaviq, Zubin Potok and Zvečan/Zveçan to discuss security and other challenges.

Overall, the situation remained relatively calm but fragile. On 10 June, the remains of the Albanian historic national hero, Isa Boletini, were reburied in his home village in the northern municipality of Zvečan/Zveçan. Following thorough

coordination with international and local counterparts, the events ended without significant incidents and proceeded in an overall calm and peaceful atmosphere.

There were a few security-related incidents in the reporting period. On 19 April, an assault against a police officer in a vehicle patrol occurred in Mitrovica North. On 27 May, Kosovo police arrested three armed Kosovo Albanian youngsters in Mitrovica North who had crossed the bridge from the south and pulled down Serbian flags. On 11 June, shots were fired against an independent local online media office in Mitrovica North, causing material damage. There was an attempt on 22 June by a Kosovo Albanian potential returnee to conduct (re)construction activities in the ethnically mixed neighbourhood of Brdjani/Kroi i Vitakut of Mitrovica North in violation of an agreement to resolve the issue on the central level; since then, works remain suspended.

On 19 June, a Kosovo Serb and his family left the house where they were residing, following a court eviction order. Kosovo police assisted the execution of the court order by cordoning off the area. A previous attempt to execute the eviction order had failed when Kosovo police were not able to keep protesters away from the site. Only 7 of 279 pending eviction requests were executed in Mitrovica North in 2014, according to the Kosovo Property Agency. Kosovo police assistance to the Agency began in 2009 but it was suspended following an incident in January 2010. In March 2015, Kosovo police resumed assistance to the Agency in executing eviction orders.

EULEX exercised its executive functions in a number of judicial cases. On 20 April, a panel of EULEX judges at Mitrovica Basic Court found two defendants not guilty in the first of three judicial proceedings related to the shooting of a Kosovo police officer, Enver Zymberi, in July 2011. The main trial in the case against five defendants including a well-known Kosovo Serb politician accused of war crimes continued throughout the reporting period with hearings of witnesses for the prosecution. In June, a detention hearing was held against five Kosovo Albanian defendants, all minors, charged with attempted aggravated murder (the stabbing of a Kosovo Serb youngster on 9 April) and for pulling down flags and threatening the public on 27 May, among other things. After one of the defendants had violated an initial house detention imposed on 28 May, a EULEX pre-trial judge on 25 June ordered a one-month detention on remand against him and lesser restrictive measures against two others. Also in June, the pathologist produced the final autopsy results for the Kosovo Albanian boy who went missing on 10 April and was found dead in the Ibër/Ibar River on 28 April 2015. The case was assigned to a EULEX prosecutor; the autopsy results indicated that there was no shooting involved. On 1 July, the main trial started against seven defendants indicted for an attack against EULEX personnel in the municipality of Zubin Potok in 2012.

The Mission continued to provide advice to the Kosovo police, including on inter-ethnic crime and on principles of intelligence-led policing. EULEX facilitated joint training for Kosovo police quick-response team officers Mitrovica-wide in basic tactical combat casualty care. This served to foster Mitrovica-wide cooperation; further training was discussed with Kosovo police regional commanders in Mitrovica North and South. EULEX continued to support the Kosovo police in their involvement in making the local public security committees fully operational by encouraging them to link in with police counterparts from Kosovo police Mitrovica South region and by supporting a joint working group on community policing.

2.4 Dialogue implementation

In April, the Chair of the Integrated Border Management Agreement Implementation Group visited two prospective new crossing points along the border/boundary. One is situated in northern Kosovo, in Rajetici/Izvor, and the other south of the Ibër/Ibar River, in Kapi/Kapija Vrapce. Both parties had made a request for these additional crossing points, which would fall under the same procedures as the already existing six interim crossing points. Following agreement on the exact locations and the layouts of these crossing points, the Chair of the Implementation Group and both parties signed the respective plans in June. It is expected that both new crossing points will become operational in 2016 at the latest. This development is yet another step forward in the implementation of the Integrated Border Management agreement. Preparatory work on the six agreed permanent crossing points is progressing.

The issue of mutual legal assistance between Belgrade and Pristina remains pending since the handover of the handling of requests for mutual legal assistance from EULEX to the European Union Special Representative in October 2014. Since 14 October, no requests have been answered or processed from the Belgrade side, and nearly 600 cases are pending, including cases handled by EULEX.

With regard to the process of registering and issuing licences to companies that import controlled goods through the northern crossing points at Rudnica/Jainjë and Bërnjak/Tabalije, since June the full regime applies with no significant problems reported to date.

At the end of April, the first sessions of the selection panel for the integration of civil protection staff were held as foreseen in the agreement in the framework of the European Union-facilitated dialogue. In June, the three observation points on the road from Mitrovica to Leposavić/Leposaviq were removed, pursuant to the agreement. On 1 July, the first 80 civil protection staff were integrated into the Agency for Emergency Management. Preparations to continue the integration process with other institutions are ongoing. The Ministry of Internal Affairs issued another decision, allowing people with old Kosovo licence plates with the letters KS instead of RKS to extend the temporary registration of their vehicle for one additional year, starting from the expiry date of the registration. All requests for transfer of registration plates from ex-Federal Republic of Yugoslavia/Serbian to Kosovo plates have to undergo a verification procedure. The requests are submitted through INTERPOL to Belgrade for verification. Currently, there are over 2,000 cases pending in Belgrade.

The signing on 23 June of a memorandum of understanding between Pristina and Belgrade on the mutual recognition of vehicle insurance policies is another step in the implementation of the freedom of movement agreement of July 2011, which will have a tangible impact on the freedom of movement. The memorandum will allow holders of vehicles with Kosovo licence plates to drive their vehicle in Serbia without prior purchasing of an additional border/boundary car insurance, and vice versa.

As for the agreement on justice integration, in May, 112 candidates applied for the positions of 48 judges and 25 prosecutors advertised publicly. In June and July, panels facilitated by EULEX interviewed eligible candidates and selection results need now to be processed by, respectively, the Kosovo Judicial Council and the

Kosovo Prosecutorial Council before the formal appointments can be finalized as envisaged. Progress has been made by the Kosovo authorities to secure premises for the court building in Mitrovica South. A site visit to the future branches in Zubin Potok and Leposavić/Leposaviq was conducted.

3. Other key issues

The Joint Rule of Law Coordination Board, co-chaired by the Minister of Justice, the European Union Special Representative/Head of the European Union Office in Kosovo and the EULEX Head of Mission finally reconvened after a one-year hiatus on 14 May. The main outcome was the signature of the renewed Rule of Law Compact. The Kosovo authorities committed to ensuring that the institutions are adequately resourced to implement the compact actions and make them a priority. The Board also discussed, among other things, measures to strengthen the independence of the judiciary and the state of play of the Palace of Justice, in particular the need for improvements in the maintenance and security of the building. All parties welcomed the national action plan on sexual violence as a war crime and committed themselves to fully support it.

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

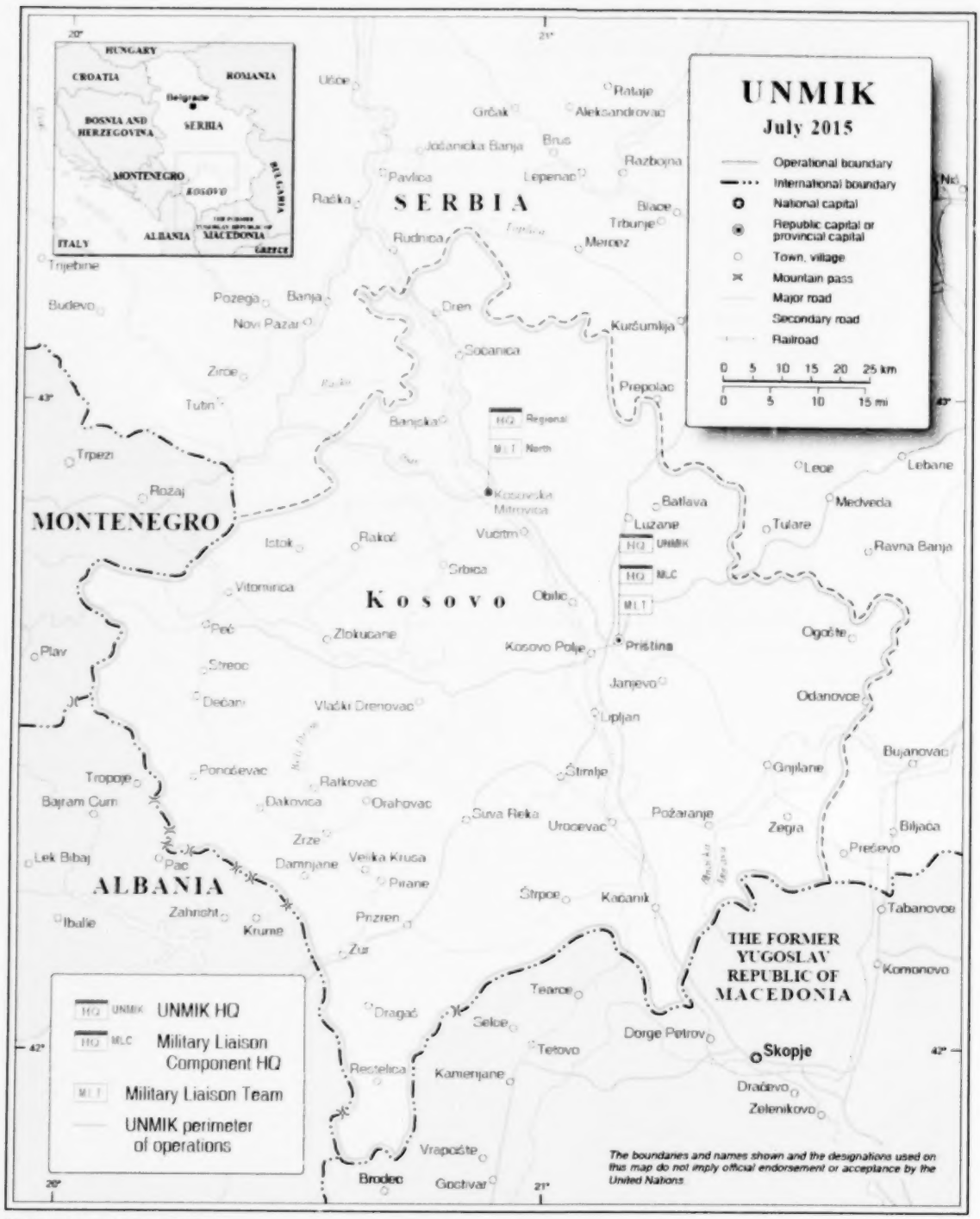
(as at 26 June 2015)

Country	*Number*
Austria	1
Bulgaria	1
Germany	1
Hungary	1
Italy	1
Russian Federation	1
Turkey	1
Ukraine	1
Total	**8**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 26 June 2015)

Country	*Number*
Czech Republic	2
Poland	1
Republic of Moldova	1
Romania	1
Turkey	1
Ukraine	2
Total	**8**



Map No. 4133 Rev. 63 UNITED NATIONS
July 2015 (Colour)

Department of Field Support
Geospatial Information Section (formerly Cartographic Section)

United Nations S/2015/580

Security Council

Distr.: General
30 July 2015

Original: English

Letter dated 27 July 2015 from the Secretary-General addressed to the President of the Security Council

I refer to Security Council resolution 2171 (2014) of 21 August 2014, in which the Council requested me to submit to it a report on actions I have taken to promote and strengthen conflict prevention tools within the United Nations system, including through cooperation with regional and subregional organizations, by 31 August 2015.

On 31 October 2014, I announced the appointment of a High-level Independent Panel on Peace Operations to comprehensively assess the state of United Nations peace operations. The Panel issued its report on 16 June 2015, and made a number of specific recommendations on conflict prevention, calling for prevention and mediation to be "brought back to the fore" of the United Nations work. I am currently preparing my response to the Panel's recommendations. In view of this, and to ensure consistency between my reports, I would like to request an extension, until 30 September 2015, for the submission of my report on conflict prevention to the Security Council.

(*Signed*) **BAN** Ki-moon

15-12998 (E) 300715

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United Nations S/2015/581

Security Council

Distr.: General
30 July 2015

Original: English

Letter dated 30 July 2015 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 27 July 2015 (S/2015/580) concerning your report pursuant to resolution 2171 (2014) has been brought to the attention of the members of the Security Council.

The members of the Council have taken note of the request contained in your letter that the time frame for the issuance of the report be extended, and they look forward to the submission of the report by 30 September 2015.

(*Signed*) Gerard Jacobus **van Bohemen**
President of the Security Council

15-12999 (E) 300715

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United Nations S/2015/582

Security Council

Distr.: General
3 August 2015

Original: English

Letter dated 28 July 2015 from the Permanent Representative of Yemen to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you a report on the violations of the Houthi-Saleh rebels of the third humanitarian pause in Yemen, on Monday, 27 July 2015 (see annex).

I would appreciate if the present letter and its annex could be transmitted to the Security Council and issued as a document of the United Nations.

(*Signed*) Khaled H. **Alyemany**
Ambassador
Permanent Representative

15-13123 (E) 040815

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Annex to the letter dated 28 July 2015 from the Permanent Representative of Yemen to the United Nations addressed to the Secretary-General

Violations of the Houthi-Saleh rebels of the third humanitarian pause in Yemen

Monday, 27 July 2015

In light of the announcement on Sunday, 26 July 2015, by H.E. Abd Rabo Mansour Hadi, President of the Republic of Yemen, on the humanitarian pause for five days, and the announcement of the Spokesperson for the Secretary-General on Yemen to welcome the announcement of the Government of Yemen on the same day, following are some of the violations committed by the Houthi-Saleh rebels on Monday, 27 July 2015, the first day of the pause, in all parts of the national territory of Yemen, in an open demonstration of their rejection of any efforts to put an end to the bloody coup and to the return of the legitimate institutions of the State to resume the process of peaceful political transition in accordance with the initiative of the Cooperation Council for the Arab States of the Gulf and its implementing mechanism, the outcome of the national dialogue and the relevant Security Council resolutions, particularly resolution 2216 (2015).

In Aden, in the morning, a Katyusha rocket attack hit the Aden airport, fuel tanks, the seaport and the neighbourhoods of Dar Saad and Al Mahareeq, resulting in the death of several citizens. Also, yesterday alone, there were 15 victims of landmines planted by the rebels.

In Abbyan, the number of rebels increased in the city of Loudar, and the rebels shelled the Mount Aakad area with mortars and artillery in the early hours of the morning.

In Lahaj, the number of rebels increased in Al-Nakheelah, resulting in the death of two citizens.

In Al-Dalea, the number of rebels increased in the cities of Qatabah and Sanaa, and the rebels attacked the municipality of Al Housain and adjacent villages.

In Shabwah, rebel reinforcements from Albaidha increased in number and headed towards Al Arem and Qern al-Sawdah.

In Taez, the rebels reinforced their positions and shelled the district of Saber with Katyusha rockets.

In Marib, the rebels continued their attacks towards Sarawah and Makhdarah, and clashed with the legitimate Army, and the popular resistance continues at the time of preparing this report.

The violations of the humanitarian pause committed so far in all parts of Yemen by the Houthi-Saleh rebels prove without a doubt that the rebels deliberately ignore their obligations expressed by the Spokesperson for the Secretary-General in his announcements, and the Presidential Office communiqué of 26 July announcing the pause, and expressing the wish that the Houthi-Saleh rebels will commit to the pause and refrain from exploiting it to move weapons or seize territory, and to

facilitate the urgent delivery of humanitarian assistance to all parts of Yemen, as well as rapid, safe and unhindered access for humanitarian actors.

The Government of the Republic of Yemen calls upon all members of the Security Council to meet their responsibilities to denounce the Houthi-Saleh rebels for non-compliance with the humanitarian pause requirements.

United Nations S/2015/583

Security Council

Distr.: General
3 August 2015

Original: English

Letter dated 30 July 2015 from the Permanent Representative of Yemen to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit the second report, for 28 and 29 July 2015, on the violation by the Houthi-Saleh rebels of the third humanitarian pause in Yemen (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Khaled H. **Alyemany**
Ambassador
Permanent Representative

15-13125 (E) 050815

Please recycle

Annex to the letter dated 30 July 2015 from the Permanent Representative of Yemen to the United Nations addressed to the Secretary-General

Violations by the Houthi-Saleh rebels of the third humanitarian pause in Yemen

Second report, for 28 and 29 July 2015

In the light of the announcement on Sunday, 26 July 2015 by Abd Rabo Mansour Hadi, President of the Republic of Yemen, on the humanitarian pause for five days and the announcement of the Spokesperson for the Secretary-General welcoming the announcement of the Government of Yemen on the same day, here are some of the violations committed by the Houthi-Saleh rebels on Tuesday, 28 and Wednesday, 29 July 2015 in all parts of the national territory of Yemen, in an open demonstration of their rejection of any efforts to put an end to the bloody coup and the return of the legitimate institutions of the State to resume the process of peaceful political transition in accordance with the Gulf Cooperation Council imitative and its implementing mechanism, the outcome of the national dialogue and the relevant Security Council resolutions, especially resolution 2216 (2015).

In Aden, the rebels continue their attempts after the liberation of Aden to send reinforcements to all the fronts leading to Aden. Clashes continue around Al Khadra City, Ja'awalah, Al Basateen and Beer Fadhel in the outskirts of Aden. The commander of the Fourth Region Army appealed to the coalition forces to rescue the injured arriving in Aden from other southern governorates, by evacuation to hospitals in neighbouring countries or upgrading the city medical facilities.

In Lahaj, clashes continue in and around Al Anad strategic airbase, the military base of Labouzah, in Al Houssaini gardens, the Al Quraish town, Saber, and the capital, Al Houtah. The Houthi-Saleh rebels are retreating and looting citizens' cars and properties on their way out.

In Abyan, clashes continue in Loudar and Zinjibar. The Houthi-Saleh rebels are reinforcing their units from their position in the north through the mountain passage of Tharah leading to Al Baidah.

In Taiz, the Houthi-Saleh rebels are shelling the western parts of the city with Katyusha rockets and there are clashes around Saber. Rebels continue to receive reinforcements from the neighbouring Ibb Governorate. The city needs urgent medical and food supplies because rebels are blocking access to the city.

In Al Dalea, the Houthi-Saleh rebels are doubling their efforts to attack the city. Constant attempts towards Sanah and the Governorate administration building are being made. The rebels continue to pour in from their positions in the north, from Demth, Ibb and Qa'atabah.

In Marib, the Houthi-Saleh rebels continue their attacks against the national army and resistance positions in Makhdarah and Sarwah. There is an urgent need for humanitarian and medical relief supplies because the rebels are blocking access to Marib.

In Shabwah, the Houthi-Saleh rebels continue their build-up in Al Arem and Qirn al Sawdah. There has been arbitrary shelling of the city of Baihan's neighbourhoods.

The violations committed so far in all parts of Yemen by the Houthi-Saleh rebels against the humanitarian pause are proof without any doubt that the rebels are deliberately ignoring their obligations which are expressed in the announcement of the Spokesperson for the Secretary-General, and the Presidential Office communiqué of 26 July announcing the pause, urging the Houthi-Saleh rebels to commit to the pause and refrain from exploiting it to move weapons or seize territory and to facilitate the urgent delivery of humanitarian assistance to all parts of Yemen, as well as rapid, safe and unhindered access for humanitarian actors.

The Government of the Republic of Yemen calls upon all members of the Security Council to rise to their responsibilities to denounce the Houthi-Saleh rebels for non-compliance with the humanitarian pause requirement.

United Nations S/2015/584

Security Council

Distr.: General
30 July 2015

Original: English

Report of the Secretary-General concerning the credentials of the representative of Spain on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 29 July 2015 from the Charge d'affaires a.i. of the Permanent Mission of Spain to the United Nations stating that Mr. Jesús Gracia Aldaz, Secretary of State for International Cooperation and Latin America, will represent Spain at the 7499th meeting of the Security Council, to be held on 30 July 2015.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.

15-13014 (E) 310715

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United Nations A/70/226–S/2015/585

General Assembly
Security Council

Distr.: General
31 July 2015

Original: English

General Assembly
Seventieth session
Item 78 of the provisional agenda*
Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Security Council
Seventieth year

Report of the International Tribunal for the Former Yugoslavia

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and the members of the Security Council the twenty-second annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, submitted by the President of the International Tribunal in accordance with article 34 of the statute of the Tribunal (see S/25704 and Corr.1, annex), which states that:

> The President of the International Tribunal shall submit an annual report of the International Tribunal to the Security Council and to the General Assembly.

* A/70/150.

15-13010 (E) 260815

Please recycle

Letter of transmittal

Letter dated 31 July 2015 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the General Assembly and the President of the Security Council

I have the honour to submit the twenty-second annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, dated 31 July 2015, to the General Assembly and the Security Council, pursuant to article 34 of the statute of the International Tribunal.

(*Signed*) Theodor **Meron**
President

Twenty-second annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Summary

The twenty-second annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 covers the period from 1 August 2014 to 31 July 2015.

The Tribunal continued to focus on the completion of pending trials and appeals, rendering two appeal judgements during the reporting period. Seven cases — four trials and three appeals — remain. All 161 indicted individuals are accounted for. At the close of the reporting period, 10 persons were in appeal proceedings and four persons were on trial. The present report details the activities of the Tribunal during the reporting period and demonstrates the Tribunal's commitment to completing its proceedings expeditiously and in accordance with due process.

In this context and to the extent possible, the President of the Tribunal has undertaken and promoted efforts to monitor and prevent delays resulting from unforeseen complexities in particular cases and the loss of experienced staff members, by assigning additional staffing resources to cases that need reinforcing.

With the valuable assistance of the Office of Legal Affairs of the Secretariat and the Security Council Informal Working Group on International Tribunals, chaired by Chile, the Tribunal has ensured the continued smooth transition of its functions to the International Residual Mechanism for Criminal Tribunals.

The Office of the Prosecutor made progress towards the completion of the mandate of the Tribunal at both the trial and appellate levels. The Office continued to work closely with the authorities of the States of the former Yugoslavia to encourage cooperation with the Tribunal and to support domestic war crimes prosecutions.

Under the authority of the President, the Registry provided valuable administrative and judicial support to the Tribunal, coordinating a wide range of legal, policy and operational matters. The Registry also coordinated the practical arrangements necessary for the ongoing process of downsizing the Tribunal's operations and the transfer of responsibilities to the Mechanism.

I. Introduction

1. The twenty-second annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 outlines the activities of the Tribunal for the period from 1 August 2014 to 31 July 2015.

2. During the reporting period, the Tribunal continued to implement its completion strategy as endorsed by the Security Council in resolution 1503 (2003). The Appeals Chamber delivered judgements in the multi-accused case of *Popović et al.* and the *Tolimir* case. At the close of the reporting period, three appeals involving 10 persons and four trials involving 4 persons are ongoing.

3. Judge Theodor Meron (United States of America) and Judge Carmel Agius (Malta) continued to serve as President and Vice-President, respectively. Serge Brammertz (Belgium) continued to serve as Prosecutor and John Hocking (Australia) as Registrar.

4. Each organ of the Tribunal continued to undertake measures to improve its efficiency. The Chambers continued to identify and adopt measures to maximize the efficiency of pending judicial proceedings while preserving the highest levels of procedural fairness. The Vice-President, as Chair of the Trial and Appeals Scheduling Working Group, closely monitored the progress of trials and appeals. A number of challenges to the efficiency and timely completion of the Tribunal's proceedings identified during the reporting period were the continued attrition of the Tribunal's highly experienced staff and the ill-health of accused persons. The Office of the President and the Registrar worked closely to implement measures to address challenges related to staffing of the Tribunal.

II. Activities involving the entire Tribunal

A. President

5. The President oversaw the work of the Tribunal, focusing on the judicial responsibilities of his office and on initiatives aimed at the timely completion of trials and appeals. He worked closely with the Vice-President and the Registrar to develop and implement strategies aimed at expediting the Tribunal's judicial proceedings. In addition, he represented the Tribunal at various international forums and met with numerous government officials.

1. Preventing delays in the work of Chambers

6. The President and the Vice-President coordinated closely with judges of the Tribunal to reduce the risk of delays in trials and appeals. Among other efforts, the President closely monitored the progress of cases and proactively assigned additional legal staff to teams requiring assistance as a result of the loss of highly experienced staff members and/or unforeseen complexity in proceedings.

2. Relations with Governments and international organizations

7. During the reporting period, the President conducted an official mission on behalf of the Tribunal to Bosnia and Herzegovina from 25 to 27 November 2014. During the mission, the President met with victims of the conflicts in the former Yugoslavia and visited locations where the Tribunal established that crimes had been committed during the war. The President also took the opportunity to meet with the President of the Court of Bosnia and Herzegovina and the High Representative for Bosnia and Herzegovina.

8. July 2015 marked the twentieth anniversary of the genocide in Srebrenica. On 11 July 2015, a commemoration ceremony was held at the Potočari Memorial Centre in Bosnia and Herzegovina, with the participation of thousands of people and a host of international dignitaries. The Tribunal's President and Prosecutor attended the ceremony and delivered remarks, both emphasizing the importance of recognizing the crimes committed in Srebrenica as genocide.

9. The President also made presentations regarding the work of the Tribunal to the principal organs of the United Nations. On 13 October 2014, the President addressed the General Assembly regarding the twenty-first annual report of the Tribunal (A/69/225-S/2014/556; see also A/69/PV.24). On 10 December 2014, the President addressed the Security Council to present the Tribunal's twenty-second completion strategy report (S/2014/827; see also S/PV.7332). On 3 June 2015, the President addressed the Security Council regarding the Tribunal's twenty-third completion strategy report (S/2015/342; see also S/PV.7455).

10. The Tribunal also hosted a number of official visitors during the reporting period, who met with the President, Judges and other officials to learn about the Tribunal's achievements, challenges and ongoing work. Among the officials who visited the Tribunal were the Prime Minister of the Netherlands; a delegation of Korean judges, including the Chief Justice of the Republic of Korea and members of its Supreme Court; and diplomats from various embassies.

3. Judicial activity

11. The Statute of the Tribunal, the Rules of Procedure and Evidence and the Practice Directions confer upon the President certain judicial functions. In carrying out such duties, the President issued numerous orders assigning cases to Chambers and reviewed several decisions of the Registrar. The President also considered two requests for early release of persons convicted by the Tribunal, including a person whose appeal against his sentence is still pending; both of these requests were dismissed for lack of jurisdiction.

4. Transition to the International Residual Mechanism for Criminal Tribunals

12. The Hague branch of the International Residual Mechanism for Criminal Tribunals commenced operations on 1 July 2013, and since that date the President has been taking steps to ensure a smooth handover of functions to the Mechanism, conducting liaison with internal and external stakeholders and facilitating the development of necessary practices and procedures.

B. Bureau

13. Pursuant to rule 23 of the Rules of Procedure and Evidence, the Bureau is composed of the President, the Vice-President and the Presiding Judges of the Trial Chambers. During the reporting period, the President regularly consulted the Bureau on a host of general policy matters of the Tribunal.

C. Coordination Council

14. Pursuant to rule 23 bis of the Rules, the Coordination Council consists of the President, the Prosecutor and the Registrar. The Council held several meetings during the reporting period to discuss, inter alia, the completion strategy, archives, budgetary concerns and the transition of the functions of the International Tribunal for the Former Yugoslavia to the Mechanism.

D. Plenary sessions

15. During the reporting period, the judges held two plenary sessions, on 28 January and 8 July 2015. At the latter plenary, a decision was taken to amend rules 6 (A), 15 (B), 25 (B) and 26 (A) of the Rules of Procedure and Evidence of the Tribunal; the amendments became effective on 17 July 2015.

E. Rules Committee

16. The judicial membership of the Rules Committee comprises Vice-President Carmel Agius (Chair), President Theodor Meron, and Judges Christoph Flügge, Alphons Orie and O-Gon Kwon. The non-voting members include the Prosecutor, the Registrar and a representative of the Association of Defence Counsel. During the reporting period, the Rules Committee met on 26 February and 25 June 2015 to discuss proposed amendments to the Rules and make recommendations to the judges of the Tribunal. The amendments proposed by the Rules Committee were discussed and approved at the plenary of judges held on 8 July 2015.

III. Activities of the Chambers

A. Composition of the Chambers

17. Currently, 20 judges from 19 countries serve at the Tribunal. The Chambers are at present composed of the 13 permanent Tribunal judges, 4 permanent judges of the International Criminal Tribunal for Rwanda serving in the Appeals Chamber and 3 ad litem judges.

18. The permanent judges are: Theodor Meron (President, United States of America), Carmel Agius (Vice-President, Malta), Christoph Flügge (Germany), Alphons Orie (Netherlands), O-Gon Kwon (Republic of Korea), Fausto Pocar (Italy), Liu Daqun (China), Jean-Claude Antonetti (France), Bakone Justice Moloto (South Africa), Burton Hall (Bahamas), Howard Morrison (United Kingdom of Great Britain and Northern Ireland), Guy Delvoie (Belgium) and Koffi Kumelio A.

Afande (Togo). Patrick Robinson (Jamaica) also served as a permanent judge during the reporting period but left the Tribunal at the conclusion of his mandate with the delivery of the appeal judgement in the *Tolimir* case.

19. The permanent judges of the International Criminal Tribunal for Rwanda serving in the Appeals Chamber are: Arlette Ramaroson (Madagascar), Khalida Rachid Khan (Pakistan), Bakhtiyar Tuzmukhamedov (Russian Federation) and Mandiaye Niang (Senegal). William Hussein Sekule (United Republic of Tanzania) and Mehmet Güney (Turkey), permanent judges of the International Criminal Tribunal for Rwanda, also served in the Appeals Chamber of the Tribunal during the reporting period but left the Tribunal on 30 April, respectively at the conclusion of their mandates.

20. The Tribunal's ad litem judges are Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo), Flavia Lattanzi (Italy) and Melville Baird (Trinidad and Tobago).

21. At the close of the reporting period, the Trial Chambers were composed of Judges Orie (presiding), Kwon (presiding), Flügge (presiding), Antonetti, Moloto, Hall, Morrison, Delvoie, Mindua, Lattanzi, Baird and Niang.

22. At the close of the reporting period, the Appeals Chamber was composed of Judges Meron (presiding), Agius, Pocar, Liu, Ramaroson, Khan, Tuzmukhamedov, Niang and Afande.

B. Principal activities of the Chambers

1. Trial Chamber I

Mladić

23. Ratko Mladić is charged with 11 counts of genocide, crimes against humanity, and violations of the laws or customs of war, all in relation to acts allegedly committed in Bosnia and Herzegovina between 12 May 1992 and 30 November 1995. The Trial Chamber is composed of Judges Orie (presiding), Flügge and Moloto. The trial commenced on 16 May 2012. In October 2014, the Chamber granted the Prosecution's request to reopen its case in order to present previously unavailable evidence relating to a mass grave discovered in the village of Tomašica, in the Prijedor municipality of Bosnia and Herzegovina. The preparation and presentation of this new evidence was estimated to take approximately four months and was completed on 8 July 2015, when the Defence case resumed. The Defence case is expected to continue until 2016, assuming that the Defence will use all the time it has been granted in order to present its case. Based on the extensive nature of the Defence case, the Trial Chamber expects that the post-Defence case hearings (involving the presentation of rebuttal and rejoinder evidence, as well as the testimony of possible Chamber witnesses) will take another four months. As a result of these factors, the Judgement is now expected in November 2017, eight months later than previously anticipated.

24. The judges and legal support team have taken a variety of measures to expedite preparation of the trial judgement, including requesting assignment of additional staff resources to deal with the additional complexities raised by the reopening of the Prosecution case and the magnitude of the Defence case. These

additional staff members will be assigned to the *Mladić* case on a staggered basis as they complete their duties on other cases.

2. Trial Chamber II

Hadžić

25. Goran Hadžić is charged with 14 counts of crimes against humanity and violations of the laws or customs of war, all in relation to acts allegedly committed in Croatia and Serbia between 25 June 1991 and December 1993. The Trial Chamber is composed of Judges Delvoie (presiding), Hall and Mindua. The trial commenced on 16 October 2012 and the judgement is now expected in October 2016, 10 months later than previously anticipated. The delay in the delivery of the trial judgement is attributable to Mr. Hadžić's health condition. The trial has been adjourned since 20 October 2014 and Mr. Hadžić is currently on provisional release. In March and June 2015, the Prosecution filed motions to proceed with the Defence case. In March 2015, the Prosecution also filed a proposal for expediting the presentation of the Defence case. In June 2015, the Defence filed a motion to terminate or, in the alternative, to stay the proceedings indefinitely, in the light of Mr. Hadžić's health condition. The Chamber is expecting more medical reports in the coming weeks, which it will take into account in deciding the parties' pending motions and in determining whether the trial proceedings can be continued. The impact of Mr. Hadžić's health situation and the prolonged adjournment of the trial on the completion of the trial judgement can thus not be fully assessed at this time. However, October 2016 is the Chamber's current best estimate for the completion of this case.

3. Trial Chamber III

Karadžić

26. Radovan Karadžić is charged with 11 counts of genocide, crimes against humanity, and violations of the laws or customs of war, all in relation to acts allegedly committed in Bosnia and Herzegovina between 1992 and 1995. The Trial Chamber is composed of Judges Kwon (presiding), Morrison, Baird and Lattanzi (reserve). The trial commenced on 26 October 2009. Closing arguments were heard between 30 September and 7 October 2014. The judgement is expected in December 2015, two months later than previously projected. The delay in the delivery of the judgement is attributable to serious staffing shortages caused by the departure of experienced staff members. The departure of these staff members, who possessed deep knowledge of this complex case, placed significant additional burdens on remaining staff members and resulted in this delay in the expected completion date of the trial.

27. A variety of measures to expedite preparation of the trial judgement has been taken, including recruitment of additional staff members, who are being provided support to become familiar with the case as rapidly as possible. Thanks to these measures, the trial judgement is still scheduled to be rendered in 2015.

Šešelj

28. Vojislav Šešelj is charged with nine counts of crimes against humanity and violations of the laws or customs of war, all in relation to acts allegedly committed in Croatia, Bosnia and Herzegovina, and Vojvodina (Serbia) between August 1991 and September 1993. Following the disqualification of Judge Harhoff in October 2013, while the case was in its deliberation phase, the Trial Chamber is now composed of Judges Antonetti (presiding), Niang and Lattanzi. The Trial Chamber's decision that the trial could continue, despite Judge Harhoff's replacement by Judge Niang, was upheld by the Appeals Chamber. Following Judge Niang's familiarization with the trial record, the Chamber commenced fresh deliberations on 30 June 2015. The last quarter of the year remains the Chamber's anticipated date for the delivery of the judgement.

4. Rule 11 bis Referral Bench

29. The Rule 11 bis Referral Bench has transferred all low- and mid-level accused from its trial docket in accordance with Security Council resolution 1503 (2003). The Rule 11 bis Referral Bench issued no decisions during the reporting period.

5. Hearings pursuant to rule 75 (H) and (G), rule 75 bis and rule 75 ter of the Rules of Procedure and Evidence

30. There were no hearings pursuant to rule 75 bis of the Rules of Procedure and Evidence. Since the responsibility for applications in cases where no chamber of the Tribunal remains seized has now moved to the Mechanism, the former specially appointed chamber that addressed applications under these rules no longer exists.

6. Principal activities of the Appeals Chamber

(a) Interlocutory appeals

31. The Appeals Chamber issued six decisions on interlocutory appeals.

(b) Appeals on the merits

32. The Appeals Chamber rendered two final judgements during the reporting period.

33. In the case of *Prosecutor v. Vujadin Popović et al.*, involving six appellants, the appeal judgement was rendered on 30 January 2015. The Appeals Chamber affirmed the majority of the defendants' convictions, while granting certain grounds of appeal raised by the Appellants. The Appeals Chamber affirmed Mr. Popović's and Mr. Beara's sentences to life imprisonment; affirmed Mr. Nikolić's sentence of 35 years of imprisonment; reduced Mr. Miletić's sentence from 19 to 18 years of imprisonment; and affirmed Mr. Pandurević's sentence of 13 years of imprisonment.

34. In the case of *Prosecutor v. Zdravko Tolimir*, the appeal judgement was rendered on 8 April 2015. The Appeals Chamber affirmed the majority of Mr. Tolimir's convictions, while granting certain grounds of his appeal. The Appeals Chamber affirmed Mr. Tolimir's sentence of life imprisonment.

35. Three Appeals Chamber cases — *Prosecutor v. Jovica Stanišić and Franko Simatović*, *Prosecutor v. Mićo Stanišić and Stojan Župljanin* and *Prosecutor v. Jadranko Prlić et al.* — are outstanding.

36. In the case of *Prosecutor v. Jadranko Prlić et al.*, the projected time frame for delivery of the appeal judgement has been revised and it is now expected in November 2017, five months later than previously anticipated. Delay in the delivery of the appeal judgement is caused by two factors: staff shortages and additional complexities identified after further review of case materials and the parties' voluminous submissions. Briefing in this case was completed on 29 May 2015.

37. The judges and legal support team are taking a variety of measures to minimize delays in the preparation of the appeal judgement. These included the recruitment of additional staff members and preparation of a plan to deploy additional staff resources on a staggered basis with the completion of other cases. The appeal hearing is still expected to take place in 2016.

38. In the case of *Prosecutor v. Jovica Stanišić and Franko Simatović*, the appeal hearing took place on 6 July 2015. The projected time frame for delivery of the appeal judgement has been revised and the appeal judgement is now expected by December 2015, later than the previous forecast of June 2015. Delay in the delivery of the appeal judgement is caused by three factors, the most significant of which is high staff attrition rates. Several members of the legal support team who had worked on the case from the beginning have left, including a highly experienced legal officer, an experienced associate legal officer and another associate legal officer. As a result of those departures, the legal support team no longer has a member who has worked on the case since its commencement. Moreover, further analysis of case materials identified additional legal complexities that have required and will require more time to address. Finally, the workload of several judges on the bench in other ongoing appeals has been immense.

39. The judges and legal support team are taking a variety of measures to minimize delays in the preparation of the appeal judgement. Two new members joined the team in February 2015 and additional efforts to find replacement staff have been made. However, new staff members require substantial periods of time to become familiar with the specifics of this complex case. Efforts have also been made to coordinate smoothly the scheduling of the pending appeals to which the judges are simultaneously assigned. As a result of those efforts, it was possible to schedule the appeal hearing of this case on 6 July 2015.

40. In the case of *Prosecutor v. Mićo Stanišić and Stojan Župljanin*, the Presiding Judge has revised the projected time frame for delivery of the appeal judgement and it is now expected in June 2016, seven months later than previously anticipated. The appeal hearing is anticipated to take place in late 2015. In the light of this delay, a number of judges assigned to the case, but who were originally elected to the International Criminal Tribunal for Rwanda, have been replaced, owing to the scheduled closure of that Tribunal by December 2015. Delay in the delivery of the appeal judgement is caused by two factors. The most significant involves staffing-related matters, including the departure of the team leader at the beginning of the year and the unavailability of experienced staff members who could not join the team because they remained fully engaged in other cases for a significant part of the reporting period. Those circumstances resulted in the legal team's operating without a leader and full-time coordinator for approximately two months. In addition, the legal drafting team identified additional legal complexities related to challenges raised by appellants in connection with the role and alleged bias of former Judge Frederik Harhoff, who sat on the trial bench of this case.

41. The judges and legal support team are taking a variety of measures to expedite the preparation of the appeal judgement. A new team leader has been assigned to the case following the completion of her duties in another case, and additional staff members have joined the team. In addition, the drafting team is coordinating its work on related grounds to ensure early consistency between different sections of the appeal judgement.

(c) Other appeals

42. A total of 79 pre-appeal decisions and orders were issued during the reporting period.[1]

IV. Activity of the Office of the Prosecutor

A. Completion of trials and appeals and transition to the International Residual Mechanism for Criminal Tribunals

43. During the reporting period, the Office of the Prosecutor remained focused on expeditiously completing its work in the final trial and appeal proceedings, while simultaneously managing its downsizing process. The Office continued to reallocate staff and resources to ensure that all court-ordered deadlines were met. The Office continued to assist Mechanism officials and personnel in transferring functions in accordance with the transitional arrangements.

44. In the current reporting period, judgements were issued in two appeals (*Popović et al.* and *Tolimir*). At the end of the reporting period, two trials are in the defence evidence presentation phase (*Hadžić* and *Mladić*); in two trials the parties are awaiting judgement by the Trial Chamber (*Karadžić* and *Šešelj*). In one case on appeal, the parties are awaiting judgement by the Appeals Chamber (*Stanišić and Simatović*); and in two appeals the parties have completed their written submissions and are awaiting scheduling of the oral hearing (*Stanišić and Župljanin* and *Prlić et al.*).

B. Cooperation

45. The Office of the Prosecutor continued to rely on the full cooperation of States, as required under article 29 of the statute of the International Tribunal for the Former Yugoslavia, to fulfil its mandate. The Office remains satisfied with the level of cooperation between the Office and the authorities in Bosnia and Herzegovina, Serbia and Croatia.

1. Cooperation of Serbia

46. Serbia continued to play an important role in ensuring the successful completion of the work of the Office of the Prosecutor. The Office's access to documents and archives in Serbia remains important for ongoing trial and appeals proceedings of the Tribunal, and Serbia has shown diligence in processing the Office's requests for assistance.

[1] This figure includes orders and decisions filed as of 31 July 2015.

47. Serbia remains obligated to cooperate in transferring custody of individuals to the International Tribunal for the Former Yugoslavia. The Office of the Prosecutor will continue to closely monitor all cooperation issues.

2. Cooperation of Croatia

48. During the reporting period, Croatia responded diligently to the requests for assistance from the Office of the Prosecutor.

3. Cooperation of Bosnia and Herzegovina

49. During the reporting period, the authorities of Bosnia and Herzegovina, at both the State and entity levels, responded promptly and adequately to the requests from the Office of the Prosecutor for documents and access to Government archives. The authorities also provided valuable assistance with witness protection matters and facilitated the appearance of witnesses before the Tribunal.

4. Cooperation between States of the former Yugoslavia in judicial matters

50. During the reporting period, meaningful results were achieved in cooperation between regional prosecution offices in the investigation and prosecution of war crimes, demonstrating that national authorities are responding to the concerns previously expressed by the Office of the Prosecutor. In December 2014, Serbian and Bosnia and Herzegovina authorities conducted coordinated arrest operations in relation to the notorious *Štrpci* case, and initial proceedings are under way in both Serbia and Bosnia and Herzegovina to bring those arrested to trial. In March 2015, Serbian authorities, with the cooperation and support of Bosnia and Herzegovina authorities and the Office of the Prosecutor, arrested eight suspects on suspicion of participation in the Srebrenica genocide. Unfortunately, however, the *Djukić* case and other developments during the reporting period demonstrated that regional cooperation continued to face key challenges.

51. The Office of the Prosecutor encourages governmental and political authorities to avoid politicizing regional cooperation issues and allow judicial processes to resolve matters in accordance with international and national laws.

5. Cooperation of other States and organizations

52. Cooperation and support from States outside the former Yugoslavia and from international organizations remains integral to the successful completion of International Tribunal for the Former Yugoslavia cases. Assistance continues to be needed to access documents, information and witnesses, as well as in matters related to witness protection, including witness relocation. The Office of the Prosecutor again acknowledges the support it received during the reporting period from States Members of the United Nations and international organizations, including the United Nations and its agencies, the European Union, the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe and the Council of Europe.

C. Transition from the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to national war crimes prosecutions

53. As the Tribunal nears the completion of its mandate, the Office of the Prosecutor remains committed to promoting effective war crimes prosecutions in the former Yugoslavia through ongoing dialogue with counterparts and efforts to build capacity in the national justice sectors. During the reporting period, the Office continued to assist national judicial authorities in the former Yugoslavia to more successfully handle their war crimes cases. The joint European Union/International Tribunal for the Former Yugoslavia Training Project for National Prosecutors and Young Professionals from the former Yugoslavia was a central component of the Office. The Office also provided information and evidence in respect of ongoing investigations and trials, while further enabling access to its databases.

54. The Office of the Prosecutor is concerned with the pace and effectiveness of war crimes prosecutions by national authorities in the former Yugoslavia. Only a limited number of the outstanding cases at the national level have been prosecuted to date. Much more remains to be done on the most complex and highest-priority cases, particularly those involving senior- and mid-level officials.

55. Regarding the category II cases (investigation files) transferred by the Office of the Prosecutor to the Prosecutor's Office of Bosnia and Herzegovina, there was only limited progress during the reporting period. The Chief Prosecutor has given strong assurances, however, that prosecutorial decisions will be taken in all outstanding cases by the end of 2015. More generally, the implementation of the Bosnia and Herzegovina National War Crimes Strategy continues to be considerably delayed. Visible progress was not made during the reporting period resolving issues in the work of the Prosecutor's Office of Bosnia and Herzegovina, including quality control, failure to join related cases and insufficient charges for crimes against humanity. However, positive progress was made in the prosecution of the Srebrenica genocide with the filing of an indictment against three former mid-level police officials. There was also quantitative progress in the processing of war crimes cases at the entity level.

56. During the reporting period, there were a number of important results in the processing of war crimes cases in Serbia that indicate the War Crimes Prosecutor's Office is intensifying its activities and more fully directing its attention towards complex and high-profile cases. There are areas for additional efforts in the overall pace and extent of war crimes processing in Serbia, particularly involving senior- and mid-level military, police and political officials. The Office of the Prosecutor is concerned by events during the reporting period that have the appearance of improper influence on judicial authorities and pressure to stop war crimes prosecutions.

57. The Office of the Prosecutor has concluded that one of the most serious barriers to effective national justice is that national prosecution offices have not yet fully adopted and implemented strategic approaches to the investigation and prosecution of war crimes under their jurisdiction. Experiences at the International Tribunal for the Former Yugoslavia and other international criminal tribunals have demonstrated that strategic investigations and prosecutions in the framework of an

overarching prosecutorial strategy are essential when confronting large numbers of crimes committed in an organized manner. Such methods ultimately allow for more comprehensive accountability, including in particular by bringing to justice senior- and mid-level officials who bear responsibility. The Office urges national judicial authorities to adopt prosecutorial strategies to ensure that their investigations and prosecutions are coordinated and directed to achieve national post-conflict justice goals.

D. Capacity-building and legacy

58. During the reporting period, the Office of the Prosecutor continued its efforts to transfer expertise and information to national authorities in order to build capacity for national war crimes prosecutions in the former Yugoslavia. It also shared the lessons learned and best practices developed from its work with national counterparts working across a range of criminal justice sectors in Africa, South America, Europe and the Middle East. While remaining focused on its core functions, the Office continued work on a manuscript recording the fundamental insights of the Office regarding the prosecution of crimes of sexual violence, crafted with a capacity-building focus in mind. The manuscript is scheduled for publication in early 2016.

V. Activity of the Registry

59. During the reporting period, the Registry provided judicial, diplomatic, operational and administrative support for the Tribunal and managed its Outreach Programme.

60. The Registry offers its services to the Tribunal's judges and parties to proceedings, witnesses and detained persons, Member States and international organizations. The Registry administers court operations and judicial records, provides assistance to national jurisdictions, offers protection and support services to witnesses, administers the Tribunal's legal aid scheme, explains the mandate and achievements of the Tribunal, and manages the United Nations Detention Unit. It develops policies and negotiates international agreements on behalf of the Tribunal. In addition, the Registry provides the entire spectrum of administrative services necessary for the smooth functioning of the Tribunal, including human resources, security, procurement, finance, budget, information technology and general services, as well as the provision of health services.

A. Office of the Registrar

61. The Immediate Office of the Registrar supported the Registrar in his overall responsibility of directing the Registry, including supervising all Registry Sections and representing the Tribunal in its relations with the host State and other Member States, international organizations and external stakeholders. The Immediate Office of the Registrar also assisted in representing the Tribunal in its relations with the various organs of the United Nations, their departments and offices, including in submissions to the Management Evaluation Unit and the United Nations Dispute and Appeals Tribunals.

62. The Immediate Office of the Registrar also continued to support the Registrar in managing operations of the Mechanism Registry in both Arusha and The Hague, with a special focus on supporting judicial proceedings before the Mechanism, finalizing its policies and operating procedures and assisting in recruitment exercises, to guarantee the smooth and undisturbed functioning of both branches. Tribunal staff worked hand in hand with Mechanism staff to ensure that Mechanism policies are harmonized across the two branches and that they reflect the most efficient and effective procedures, benefiting from lessons learned at the Tribunals.

63. The Immediate Office of the Registrar continued to assist the Registrar and the Administrative Support Service Division with the implementation of downsizing procedures, including preparations for and commencement of the comparative review exercise for the biennium 2016-2017, and provided legal and policy advice to the Division regarding a variety of human resources issues.

B. Division of Judicial Support Services

64. The Division of Judicial Support Services consists of the Court Support Services Section, the Judicial Records Unit, the United Nations Detention Unit, and the Conference and Language Services Section. The Court Support Services Section has four units: the Witness Support and Operations Unit and the Witness Protection Unit (collectively referred to as the Victims and Witnesses Section); the Courtroom Operations Unit; and the Office for Legal Aid and Defence.

65. During the reporting period, the Registry supported four cases on trial and five on appeal (two of which were completed during the reporting period), involving 20 accused persons, and filed approximately 180 legal submissions relevant to the Tribunal's ongoing or completed cases.

1. Court Support Services Section and Judicial Records Unit

66. As of 31 July 2015, the Victims and Witnesses Section has provided operational and psychosocial assistance to 206 witnesses (and accompanying support persons) appearing before the Tribunal. In addition, the Section continued to consult with witnesses on applications to vary their protective measures in other Court proceedings, which have increased over the reporting period. Further, for its Pilot Study on the long-term impact of giving testimony at the Tribunal, the Victims and Witnesses Section achieved its goal of completing 300 witness interviews. Presentation and publication of the Pilot Study results are expected in early 2016. The Section also took active steps to address security-related concerns by witnesses, including in cases that have resulted in relocation. The Victims and Witnesses Section, finally, continued working closely with the Mechanism to streamline its practices and strengthen the working relationship between the two branches of the Mechanism.

67. The Courtroom Operations Unit supported four trials and five appeals over the reporting period, including eight videoconference links, three rule 92 bis missions and one chain of custody visit. It also assisted four self-represented accused through its *Pro Se* Office, including a convicted person. As of 31 July 2015, the Judicial Records Unit, in cooperation with the Courtroom Operations Unit, had processed approximately 90 requests for assistance submitted by national jurisdictions.

68. Moreover, as of 31 July 2015, the Judicial Records Unit had processed 3,429 Tribunal filings (124,691 pages), 299 Mechanism filings (1,920 pages) and 622 transcripts (55,005 pages). The Unit also facilitated the sharing and transfer of judicial records between the Tribunal and the Mechanism.

69. In November 2014, following a pilot study, a project was commenced to verify the completeness and accuracy of the most critical data (such as witness-related information) in judicial records of closed cases. Following their verification, the judicial records of several cases were successfully transferred to the Mechanism's Archives and Records Section. In view of its importance, the project will be continued and completed by the Mechanism.

70. The Office for Legal Aid and Defence continued to administer the legal aid system of the Tribunal, overseeing more than 170 defence team members. Of the 20 individuals in trial and appeal proceedings during the reporting period, 18 were found unable or partially unable to remunerate counsel and were thus granted legal aid. Approximately half of those cases were ranked at the highest complexity level. The Office also assisted detained witnesses with their legal representation and administered the appointment and remuneration of amici curiae. In addition, the Office provided assistance on legal, policy and operational matters relating to the management of the legal aid system of the Mechanism.

2. United Nations Detention Unit

71. The United Nations Detention Unit continued to support both the Tribunal and the Mechanism and was responsible for detaining up to 23 individuals in conditions exceeding the relevant international standards. It facilitated detainees' presence at court hearings, ensured the care and security of detained witnesses, and implemented eight provisional release decisions and orders. The Detention Unit continues to support self-represented accused in the preparation of their defence cases with a wide range of facilities. Detainees were provided with in-house medical care and specialist medical assistance. The Unit continued to tailor its regime and services to meet the specific needs of an ageing detainee population, who present a number of health issues. In addition, it facilitated medical examinations by court-appointed medical experts and physicians chosen by detainees. In April 2015, in line with the steady decrease in the detainee population, the Unit decommissioned one of its wings, thereby reducing the number of cells from 52 to 32.

3. Conference and Language Services Section

72. The Conference and Language Services Section continued to provide interpretation, translation and court reporting services for the Tribunal, resulting in approximately 45,000 pages of translation, 1,350 conference interpreter days and 28,000 pages of transcripts over the year. In September 2014, the Section delivered the Bosnian/Croatian/Serbian translation of the French Trial Judgement issued in the *Prosecutor v. Prlić et al.* case. It did so only 16 months after the date of the original judgement. With approximately 1.3 million words or 4,260 United Nations pages in the original, that was the longest judgement ever translated by the Conference and Language Services Section. Furthermore, the Section continued to closely scrutinize translation requests in order to avoid duplicates, resulting in savings of approximately $235,000 over the reporting period.

C. Transfer of records

73. The Registrar established a high-level Records and Archives Working Group to coordinate and monitor the transfer of Tribunal records and archives to the Mechanism. The Group drew up an overall plan and a comprehensive risk assessment for the project. Further, the Mechanism Archives and Records Section continued to support Tribunal offices in preparing their records for transfer to the Mechanism, providing briefings for managers and training for staff to ensure that the required standards were met. The Section also implemented a new computer system to improve the efficiency and effectiveness of the transfer process. To date, the International Tribunal for the Former Yugoslavia has transferred approximately 30 per cent of the estimated total volume of physical records that are expected to be transferred to the Mechanism. That is a significant increase from the previous reporting period, owing to the transfer of a large quantity of judicial case records. The Tribunal also began to transfer digital records during the current reporting period.

D. Communications Service

74. The work of the Tribunal continues to attract a wide audience. During the reporting period, the Tribunal hosted educational visits for more than 300 groups, welcoming over 6,500 visitors, and the audience base for the Tribunal's social media platforms continued to expand. The Tribunal's website recorded more than 2 million page views from all over the world.

75. In addition to a variety of legacy-related content posted on its website, the Tribunal has dedicated a special section of its website to the twentieth anniversary of the genocide in Srebrenica. That section includes a presentation of the Tribunal's cases involving the events in Srebrenica and a short documentary. Since its launch on 15 June 2015, the page has been visited by more than 120,000 persons and was broadcast by more than 10 television stations in Bosnia and Herzegovina, as well as other television stations in the region of the former Yugoslavia.

76. The outreach programme continued and extended its efforts to inform people in the former Yugoslavia about the Tribunal. Through 29 high school and university lectures and presentations, the outreach programme reached around 1,000 students and teachers across the region. The field offices of the Tribunal in Belgrade (Serbia) and Sarajevo (Bosnia and Herzegovina) organized 28 outreach events, reaching more than 1,200 individuals.

77. The fifth in the series of documentaries about the work of the Tribunal ("Crimes before the ICTY: Višegrad") was completed and the documentary "Crimes before the ICTY: Central Bosnia" was screened in Bosnia and Herzegovina, Croatia and Serbia. During the reporting period, 11 television stations in the former Yugoslavia, as well as United Nations Television, broadcast the documentaries, reaching tens of thousands of viewers.

78. The Tribunal continued its collaboration with local authorities and international partners to establish information centres in the former Yugoslavia. In Bosnia, the project has the support of all three members of the Presidency (Bosniak, Serbian and Croatian), who agreed that at least two information centres should be established in Bosnia, one in each of the two constituent entities (Federation of

Bosnia and Herzegovina and Republika Srpska), i.e., in Sarajevo and Banja Luka. In Sarajevo, the City of Sarajevo has been identified as the local partner that will host the information centre, and the Mayor of Sarajevo has pledged space for the information centre in the renovated City Hall. Efforts are currently ongoing for the International Tribunal for the Former Yugoslavia to sign a memorandum of understanding with the City of Sarajevo, which would then guide the process of the establishment of the information centre in the city. The authorities of the Republika Srpska are also exploring possibilities for the establishment of the information centre in Banja Luka. Further, following a request made by victims' associations from Srebrenica during a meeting with the Tribunal's President, the Tribunal has contacted the Memorial Centre Srebrenica-Potočari to explore the possibility that another information centre be established in the Srebrenica region, on the Memorial Centre's premises. The representatives of the Memorial Centre have confirmed their general interest in joining the project and agreed an exchange of letters of interest to initiate the process. In Croatia, authorities restated their position that an information centre could be hosted on the premises of the University of Zagreb, should the decision be made to establish an information centre in Croatia. In Serbia, the Government is yet to provide an official response to the proposal to establish an information centre. Initiatives in all countries will require external funding and support.

79. The European Union has provided funding for the continuation of the outreach programme until the end of August 2015. If additional funding is not secured, it is likely that the programme will terminate before the end of 2015, compromising efforts to create an infrastructure to provide information on the work of the Tribunal after its closure. The Tribunal stresses the importance of resolution 65/253, in which the General Assembly encouraged the Secretary-General to continue to explore measures to raise voluntary funds for outreach activities, and it calls upon States and other donors to offer their support.

E. Administrative Support Service Division

80. By resolution 68/256, the General Assembly approved the proposed programme budget for the Tribunal and appropriated the full amount of $201,688,200 gross ($179,998,600 net) for the biennium 2014-2015.

81. During the 2014-2015 biennium, extrabudgetary resources are estimated at $1,381,300 to be utilized for a variety of Tribunal activities. As of 31 July 2015, cash donations of approximately $53.4 million had been received by the Voluntary Fund over the lifetime of the Tribunal. For the period from 1 August 2014 to 31 July 2015, the Tribunal received and administered $894,360 in voluntary cash contributions.

82. The Administrative Support Service Division made considerable progress towards the implementation of the Tribunal's administrative liquidation plan, working toward the consolidation of staff into a single facility and the streamlining of asset disposal processes.

83. As part of the overall liquidation plan, the Administrative Support Service Division remained actively engaged in staff downsizing efforts, the plan for which, as in previous years, was formulated in full consultation with staff representatives. The Office of Internal Oversight Services noted that the comparative review and

downsizing process implemented at the Tribunal represented "best practice in leadership of a change process". The Tribunal is continuing its planned downsizing process for the biennium 2014-2015, with adjustments to timelines for downsizing of posts made in line with revisions to the trial and appeal schedule. The approved budget for 2014-2015 contemplates a phased reduction of 361 temporary posts and general temporary assistance positions during that biennium.

84. The Career Transition Office of the Tribunal supports staff in all aspects of career transition during the period of downsizing and closure of the Tribunal by offering training courses and organizing workshops and briefings.

85. The Division also coordinated the preparation of the proposed budgets for the Tribunal and Mechanism for the biennium 2016-2017, noting that the preparation of the Mechanism budget was conducted in close consultation with the International Criminal Tribunal for Rwanda, which will hand over its remaining activities to the Mechanism at the close of 2015. Moreover, during the reporting period the Administrative Support Service Division presented its first financial statements compliant with the International Public Sector Accounting Standards (IPSAS) and undertook Umoja conversion activities.

86. Finally, the Division provided overall administrative support and services to the Mechanism in the areas of human resources, general services, procurement, finance, information technology and security. Further, in anticipation of the Tribunal's closure at the end of 2017, the Tribunal continued to support the Mechanism in the creation of a lean, self-standing administration.

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International Residual Mechanism for Criminal Tribunals

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and of the Security Council the third annual report of the International Residual Mechanism for Criminal Tribunals, submitted by the President of the Mechanism in accordance with article 32 (1) of the statute of the Mechanism (see Security Council resolution 1966 (2010), annex 1).

* A/70/150.

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Letter of transmittal

Letter dated 31 July 2015 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the General Assembly and the President of the Security Council

I have the honour to submit the third annual report of the International Residual Mechanism for Criminal Tribunals, dated 31 July 2015, to the General Assembly and the Security Council, pursuant to article 32 (1) of the statute of the Mechanism.

(*Signed*) Theodor **Meron**
President

Third annual report of the International Residual Mechanism Criminal Tribunals

Summary

The present report outlines the activities of the International Residual Mechanism for Criminal Tribunals from 1 July 2014 to 30 June 2015.

The Mechanism is now operating on two continents and performing functions inherited from both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. These functions include attending to judicial matters, providing protection to witnesses, supervising the enforcement of sentences and managing archives.

During the reporting period, the President supervised matters related to the management of the Mechanism, coordinated the work of the Chambers and issued a large number of orders and decisions on issues including the enforcement of sentences and the monitoring of cases referred to Rwanda. The Appeals Chamber delivered its first appeal from a judgement and issued a number of decisions in that and other cases. In addition, single judges rendered a large number of orders and decisions on a range of matters, including the variation of protective measures.

The Office of the Prosecutor focused on the activities within its remit, including the tracking of the remaining fugitives indicted by the International Criminal Tribunal for Rwanda, the rendering of assistance to national authorities and the prosecution of the Mechanism's first appeal from judgement. In addition, the Office of the Prosecutor established systems and procedures to streamline its operations and ensure greater coordination between its offices at the two branches.

The Registry provided and coordinated an increasing range of administrative and judicial support services for the Mechanism as it prepared for the closure of the International Criminal Tribunal for Rwanda and assumed increasing responsibility for activities formerly managed by the International Tribunal for the Former Yugoslavia. It offered protection and support services to witnesses, worked on various aspects of the enforcement of sentences handed down by the Tribunals and collaborated with the Tribunals on the preparation of records and archives for transfer to the Mechanism. The Registry also assisted in the conclusion of a host State agreement with the Netherlands and is managing the construction of the new premises for the Arusha branch. On the administrative front, the Mechanism continued the gradual process of establishing its own administrative capacity.

I. Introduction

1. The third annual report of the Mechanism outlines the activities of the Mechanism for the period from 1 July 2014 to 30 June 2015.

2. On 1 July 2013, the Mechanism opened its branch in The Hague. As a result, the Mechanism now has branches on two continents; the first branch, located in Arusha, United Republic of Tanzania, opened on 1 July 2012. Consistent with its statute and the transitional arrangements, the Mechanism has been assuming increasing responsibilities and functions from the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia.

3. The Mechanism's mandate includes ensuring the trial of certain fugitives indicted by the International Criminal Tribunal for Rwanda. To date, all International Tribunal for the Former Yugoslavia fugitives have been apprehended and transferred to that Tribunal for trial. Of the persons indicted by the International Criminal Tribunal for Rwanda, nine individuals are still at large. Three of the nine, who are alleged to have played senior leadership roles, are expected to be tried by the Mechanism, and the cases of the remaining six have been referred to Rwanda for trial.

4. The Mechanism has also been mandated to conduct a number of other judicial activities, consistent with the provisions of its statute and the dates specified in the transitional arrangements. These activities include retrials of cases completed by the two Tribunals, appeals of their judgements and sentences, reviews of their proceedings, and contempt of court and false testimony cases.

5. In addition, the Mechanism has been tasked with assuming certain functions from the two Tribunals, including the protection of victims and witnesses who have testified in the Tribunals' cases, management of the Tribunals' and Mechanism's archives, supervision of the enforcement of Tribunal sentences, responding to requests for assistance from national authorities in relation to the investigation or prosecution of those alleged to be responsible for serious violations of international humanitarian law in Rwanda and the countries of the former Yugoslavia, and monitoring of cases referred to national courts by the two Tribunals.

6. During the reporting period, the Mechanism conducted a range of judicial and other activities within its remit. The Mechanism also reviewed and developed its legal and regulatory framework, and completed a large part of its recruitment efforts. Although it was still partially reliant on the Tribunals during the reporting period for certain support services, the Mechanism made significant progress in establishing its own administrative capacity.

II. Activities of the Mechanism

A. Organization

7. The Mechanism consists of three organs, which serve both branches of the Mechanism: (a) the Chambers from which trial and appeal benches can be formed as needed, and which is presided over by the President; (b) the Prosecutor; and (c) the Registry, which provides administrative services to the Mechanism, including the Chambers and the Prosecutor.

8. Each organ is headed by a full-time principal common to both branches and serving terms of four years. The President of the Mechanism is Judge Theodor Meron, the Prosecutor for the Mechanism is Hassan Bubacar Jallow, and the Mechanism's Registrar is John Hocking.

9. The Security Council has established that the Mechanism will operate for an initial four-year period, starting from 1 July 2012. Unless the Council decides otherwise, the Mechanism shall continue to operate for subsequent periods of two years, following reviews by the Council of the progress of the Mechanism's work, including in completing its functions.

B. Legal and regulatory framework

10. An agreement between the United Nations and the Netherlands concerning the branch of the Mechanism at The Hague was signed on 23 February 2015. Upon its entry into force, this agreement will, inter alia, regulate matters relating to the proper functioning of the Mechanism in the Netherlands, facilitate its smooth and efficient functioning and create conditions conducive to the Mechanism's stability and independence.

11. The Mechanism further developed procedures and policies building upon the best practices of both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. During the reporting period, the Mechanism revised its practice direction on filings made before it. The judges of the Mechanism also adopted a code of professional conduct for the judges of the Mechanism.

C. Mechanism Coordination Council

12. Pursuant to Rule 25 of the Mechanism's Rules of Procedure and Evidence, the Mechanism Coordination Council is composed of the President, the Prosecutor and the Registrar and meets on an ad hoc basis to coordinate the activities of the three organs of the Mechanism. The Council has met to discuss, inter alia, the transfer of functions from the two Tribunals, the strategic plan on acquitted and released persons, budgetary matters, the regulatory framework and other matters of common concern.

D. Rules Committee

13. The President previously assigned two Mechanism judges to compose a Rules Committee, namely Judge Vagn Joensen and Judge Carmel Agius, who are also chairs of the Rules Committees of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, respectively. The Mechanism's Rules Committee considered a number of proposals for amendments to the Rules during the reporting period.

E. Coordination with other tribunals

14. During the reporting period, the Mechanism has coexisted with both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia and has benefited greatly from its two predecessor institutions, receiving significant operational and administrative support from them. The staff of the three institutions have worked together closely and shared institutional knowledge, expertise and lessons learned.

III. Activities of the President and the Chambers

A. Principal activities of the President

15. The President, in his capacity as the head of the Mechanism, has engaged in many issues related to the establishment and management of the Mechanism. He has developed and contributed to the development of various policies, held regular meetings with the Registrar on operational matters and represented the Mechanism in a variety of forums.

16. As mandated by the statute, during the reporting period, the President submitted two biannual reports on the progress of the Mechanism to the Security Council and twice briefed the Security Council on the work of the Mechanism — in December 2014 and June 2015. Also as mandated by the statute, the President presented the Mechanism's second annual report (A/69/226-S/2014/555) to the General Assembly in October 2014.

17. The President interacted with State officials and victims' groups from the former Yugoslavia and Rwanda in The Hague, Arusha and other locations.

18. In his judicial capacity, the President has issued numerous assignment orders, including on the assignment of panels to consider the revocation of cases referred to Rwanda. With respect to the enforcement of sentences, the President issued numerous orders and decisions relating to applications for early release, sentence remission and other public and confidential matters. In addition, the President presided over the Appeals Chamber and served as pre-appeal judge on the Mechanism's first appeal from judgement, in the case of *Augustin Ngirabatware v. the Prosecutor*.

B. Principal activities of single judges/duty judge

19. During the reporting period, single judges at the Arusha and the Hague branches, Judges Bakone Justice Moloto, Burton Hall, Vagn Joensen and Liu Daqun, were seized of and issued orders or decisions in relation to numerous requests concerning assistance to national jurisdictions, the translation of filings, access to confidential information, the variation of protective measures, allegations of contempt, witness recantation, changes in the classification of filings and compensation. Collectively, more than 61 decisions or orders were issued during the reporting period.

20. On 13 May 2015, the President assigned a trial chamber, composed of Judges Vagn Joensen, presiding, William Sekule and Florence Arrey, to consider Jean

Uwinkindi's oral request, made through the Mechanism trial monitor report, for the revocation of the referral of his case to Rwanda. On 5 June 2015, the President referred Mr. Uwinkindi's *pro se* written request on this matter to the same trial chamber. On 21 May 2015, the presiding judge, Judge Vagn Joensen, issued an order assigning himself as pretrial judge and, on 22 May 2015, issued an order as pretrial judge setting the briefing schedule on the revocation request as commencing from the date on which Mr. Uwinkindi was assigned counsel under the Mechanism's legal aid system. On 22 June 2015, the Registrar assigned Mr. Uwinkindi counsel. Briefing on this request was ongoing as at 30 June 2015.

C. Principal activities of the Appeals Chamber

21. During the reporting period, the Appeals Chamber delivered its first appeal judgement in the case of *Augustin Ngirabatware*. A trial chamber of the International Criminal Tribunal for Rwanda convicted Mr. Ngirabatware, a former Minister of Planning of Rwanda, of genocide, direct and public incitement to commit genocide and rape as a crime against humanity and sentenced him to 35 years of imprisonment. Mr. Ngirabatware appealed, and the briefing was completed on 13 August 2013. The Appeals Chamber heard oral arguments in Arusha on 30 June 2014. On 21 November 2014, the Appeals Chamber issued a decision dismissing Mr. Ngirabatware's three motions for the admission of additional evidence on appeal. On 18 December 2014, the Appeals Chamber affirmed Mr. Ngirabatware's convictions for genocide and direct and public incitement to commit genocide. The Appeals Chamber, however, reversed the conviction for rape as a crime against humanity and, accordingly, reduced Mr. Ngirabatware's sentence to 30 years of imprisonment.

22. In addition, on 6 November 2014, the Appeals Chamber denied Eliézer Niyitegeka's request for the assignment of counsel to assist him with an anticipated request for review and the presiding judge issued a related order. On 19 January 2015, the Appeals Chamber denied a similar request from Aloys Ntabakuze for the assignment of counsel for purposes of filing a request for review, after the President, in his capacity as the presiding judge, issued a confidential related decision.

23. As at the conclusion of the reporting period, the Appeals Chamber was seized with a request for review filed by Milan Lukić. The President, in his capacity as presiding judge of the *Milan Lukić* case, has rendered three orders or decisions dealing with confidential requests, with an additional confidential request pending. In addition, the Appeals Chamber was seized with requests for review filed by Sreten Lukić and Eliézer Niyitegeka as well as another confidential matter related to the *Niyitegeka* case. Ferdinand Nahimana has also filed a request for review, which is expected to be assigned to the Appeals Chamber.

IV. Activities of the Office of the Prosecutor

24. During the reporting period, the Office of the Prosecutor continued to discharge its mandate with respect to a variety of activities, including tracking fugitives, rendering assistance to national authorities, monitoring cases referred to national jurisdictions, maintaining and updating fugitive files in anticipation of arrest and conducting litigation before the Mechanism.

25. In addition, during the reporting period, the establishment of systems and procedures to streamline operations and ensure greater coordination between the branches continued. The second joint branch meeting of the Office of the Prosecutor took place in The Hague in December 2014. Since then, the Prosecutor has issued two internal policies (on disclosure and on confidential information obtained pursuant to rule 76 (B) of the Rules of Procedure and Evidence of the Mechanism and rule 70 (B) of the rules of procedure and evidence of both Tribunals). The two branches also coordinated on recruitment processes and in preparing the budget for the next biennium.

A. Arusha branch of the Office of the Prosecutor

26. With the International Criminal Tribunal for Rwanda entering into the final phase of its completion strategy, the Arusha branch of the Mechanism's Office of the Prosecutor continued to focus its efforts on gradually taking full responsibility for all remaining functions of the Tribunal's Office of the Prosecutor.

1. Fugitive tracking and trial readiness

27. The arrest and prosecution of the three fugitives, Augustin Bizimana, Félicien Kabuga and Protais Mpiranya, remain a key priority, and the Prosecutor continues his efforts to track those fugitives, with particular emphasis on the southern African and Great Lakes regions. As part of new projects initiated with various partners to disseminate information to the public and renew the call for international cooperation in facilitating the tracking and arrest of the nine remaining fugitives, the Prosecutor launched the International Fugitives Initiative in Kigali on 24 July 2014. This programme has involved the distribution of posters depicting the fugitives and the public dissemination of audio and video materials. In anticipation of the arrest and trial of the Mechanism's fugitives, the Prosecutor has put in place a roster of potential staff to be hired in the event of further fugitives being apprehended and brought to trial.

28. The Prosecutor continued to render assistance to Rwanda, when requested, in the tracking of the six fugitives whose cases have been referred to Rwanda, namely Fulgence Kayishema, Phénéas Munyarugarama, Aloys Ndimbati, Ladislas Ntaganzwa, Ryandikayo and Charles Sikubwabo, and has jointly developed new initiatives with the Rwandan authorities to facilitate these efforts. The Prosecutor is grateful for continued support from INTERPOL, the United States Department of State, through its War Crimes Rewards Program, and some individual Member States in the tracking effort and is particularly grateful for the Security Council's renewed and essential call for all Member States to cooperate with the Mechanism in the arrest and prosecution of the nine remaining fugitives, in its statement to the press of 8 November 2014.

2. Appeal and post-appeal proceedings

29. During the reporting period, the Prosecution prepared and argued the *Ngirabatware* appeal and received the appeal judgement on 18 December 2014. With the conclusion of this case, the ad hoc appeals team prosecuting it was disbanded and the four staff members were separated from service by 31 January

2015. The Office responded to post-appeal motions filed by Eliézer Niyitegeka, Aloys Ntabakuze, François Xavier Nzuwonemeye and Jean de Dieu Kamuhanda.

3. Assistance to national jurisdictions

30. The servicing of foreign requests for assistance has remained an important function of the work of the Office of the Prosecutor. During the reporting period, the Prosecutor responded to 26 requests from eight Member States and international organizations. The Office has institutionalized a system-wide, more efficient response mechanism in order to deal with the volume of documents involved in searches, analyses and classification.

4. Preservation and management of archives

31. During the reporting period, the Arusha branch has taken custody of 3,489 boxes of material received from the Office of the Prosecutor of the International Criminal Tribunal for Rwanda. In addition, the Prosecutor's evidence vault, with a collection comprising 105.55 linear metres of documents, was transferred to the custody of the Arusha branch of the Office of the Prosecutor on 24 April 2015.

32. For the efficient management of the Prosecutor's records and evidence collection, an Associate Records Manager and an Associate Information Manager were recruited on an ad hoc basis and assumed their functions on 4 March 2015 and 1 May 2015, respectively. They are working closely with staff of the Office of the Prosecutor of the International Criminal Tribunal for Rwanda in the classification of its evidence and records in accordance with the Secretary-General's bulletin on issues of information sensitivity, classification, handling and access in relation to international criminal tribunals (ST/SGB/2012/3) and the Mechanism's standard for the preparation and transfer of records for digital records.

5. Monitoring of cases transferred to national jurisdictions

33. The Prosecutor continued to monitor progress in the referred cases of Wenceslas Munyeshyaka and Laurent Bucyibaruta, which were transferred to France in 2007, together with those of Jean Uwinkindi and Bernard Munyagishari, which were transferred to Rwanda in 2012 and 2013, respectively. The investigation phase of the *Munyeshyaka* case has now been concluded, and any trial would be expected to commence and be completed before the end of 2015. In the *Bucyibaruta* case, investigations are now scheduled to be completed by November 2015, and any trial would be expected to commence in the first trimester of 2016.

34. The *Uwinkindi* trial, which commenced on 14 May 2014, continues before the High Court with substantial interlocutory appeals to the Supreme Court in Rwanda. In addition, Mr. Uwinkindi filed a request for revocation of the referral, which is currently pending before a Trial Chamber of the Mechanism. The *Munyagishari* case is still in the pretrial phase before the High Court in Rwanda, and no commencement date has yet been scheduled. On 8 April 2015, the President of the Mechanism dismissed Mr. Munyagishari's third request for revocation of his referral.

6. External relations and other projects

35. During the reporting period, the Prosecutor continued a series of United Nations consultative meetings, diplomatic outreach and round-table discussions that provided a useful forum for sharing experiences and best practices on diverse international criminal justice issues and their local application in domestic courts. The Arusha branch of the Office of the Prosecutor continued to work with its counterpart in the International Criminal Tribunal for Rwanda on a number of projects, including the preparation of a regional training programme on the investigation and prosecution of sexual and gender-based violence, the development of a best practices manual on the referral of international cases to national jurisdictions and a consolidated account of the Rwandan genocide based on facts adjudicated in the judgements of the Tribunal and the Mechanism.

B. The Hague branch of the Office of the Prosecutor

36. While the core posts of the Hague branch of the Office of the Prosecutor are fully staffed, six recruitment processes for ad hoc appeals posts have been completed or are at an advanced stage, in preparation for projected appeals in the *Šešelj* and *Karadžić* cases. Staff members of the Hague branch contribute to Mechanism-wide management by participating in and supporting committees and working groups. In addition, double-hatting arrangements are in place to make effective use of resources, so that staff members of the Hague branch continue to provide assistance to the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia in relation to ongoing cases. They continue to receive support from the Tribunal's Office of the Prosecutor to ensure a smooth transition of functions.

1. Appeal and post-appeal proceedings

37. There were no appeals during the reporting period. Ad hoc appeals posts will be filled to prosecute the projected appeals in the *Šešelj* and *Karadžić* cases.

2. Review proceedings

38. The Hague branch of the Office of the Prosecutor responded to a request for review of judgement by Sreten Lukić.

3. Other litigation

39. The Prosecution made submissions in two cases concerning the status of documents on the record in cases completed by the International Criminal Tribunal for the Former Yugoslavia.

4. Diplomatic and external relations

40. During his first official visit to Bosnia and Herzegovina, Croatia and Serbia since starting work at the Hague branch as the Mechanism's Prosecutor, the Prosecutor held meetings with ministers and deputy ministers of foreign affairs and justice in all three States and with other international officials. The Prosecutor also signed memorandums of understanding with prosecutors in the three States regarding the framework for continued assistance provided by the Hague branch in

facilitating access to evidence in The Hague. In Bosnia and Herzegovina, the Prosecutor visited three memorial sites for Bosnian Muslim, Croat and Serb victims.

41. Since then, the Prosecutor has also signed a memorandum of understanding with the Minister of Justice of Bosnia and Herzegovina on facilitating access to evidence in The Hague for the Criminal Defence Section of the Ministry of Justice of Bosnia and Herzegovina. The Prosecutor participated in a conference on genocide organized by witness and victims' groups and in the commemoration of the genocide in Srebrenica in Bosnia and Herzegovina. The Prosecutor also attended the conference on regional cooperation of war crimes prosecutors, hosted by the war crimes prosecutor of Serbia in Palić, Serbia, and the annual conference of regional prosecutors from the former Yugoslavia hosted by the office of the Attorney General of Croatia in Brijuni.

5. Assistance to national jurisdictions

42. During the reporting period, there was a continued increase in the volume of requests for assistance beyond the level anticipated in the budget. The Hague branch of the Office of the Prosecutor received 335 requests for assistance from five Member States and one international organization. A total of 579 requests for assistance have been received since the branch started operating on 1 July 2013. Due to the high number of requests for assistance, the Hague branch continued to employ a staff member on a temporary contract to assist in responding to requests for assistance and started to use overtime to avoid the accumulation of too large a backlog from accumulating. The liaison prosecutors embedded with the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia have made a valuable contribution to the efficient handling of requests from Bosnia and Herzegovina, Croatia and Serbia. In responding to requests for assistance, staff located relevant material in the evidence collection of the Office of the Prosecutor of the Tribunal, certified documents, contacted witnesses and sought the consent of providers of confidential information. The Hague branch, together with the Office of the Prosecutor of the Tribunal, provided support to visiting national prosecutors. In addition, the Hague branch filed submissions in nine cases in relation to varying protective measures for the purpose of national proceedings.

43. The Hague branch also applied on behalf of the Prosecutor's Office of Bosnia and Herzegovina for the Registry of the Court of Bosnia and Herzegovina to retain temporary custody of the model of Omarska camp, an exhibit of the International Tribunal for the Former Yugoslavia. The request was granted for a limited period of time.

6. Sentencing matters

44. The Hague branch of the Office of the Prosecutor responded to requests for information from the Registrar of the Mechanism concerning the administration of sentences for nine convicted persons.

45. The Hague branch made submissions with respect to requests for early release, including a request from Stanislav Galić, who was sentenced to life imprisonment. It also responded to applications from convicted persons concerning sentencing matters, to a request from Milan Lukić for reconsideration or review of the decision for him to serve his sentence in Estonia, and to a request from Zoran Žigić to

prevent his extradition to Bosnia and Herzegovina upon being released from serving his sentence.

7. Monitoring of cases transferred to national jurisdictions

46. The Hague branch of the Office of the Prosecutor, with the assistance, in Bosnia and Herzegovina, of the Organization for Security and Cooperation in Europe, monitored the resentencing proceedings in the *Milorad Trbić* case, which was referred to Bosnia and Herzegovina in 2007 under rule 11 bis of the Tribunal's rules of procedure and evidence. Originally sentenced to 30 years of imprisonment by the Court of Bosnia and Herzegovina, Mr. Trbić's resentencing followed the finding in 2014 by the Constitutional Court of Bosnia and Herzegovina that he should have been sentenced under the 1976 criminal code of the Socialist Federal Republic of Yugoslavia rather than under the Criminal Code of Bosnia and Herzegovina of 2003. As a result, Mr. Trbić was sentenced to 20 years of imprisonment.

8. Preservation and management of archives

47. The Hague branch of the Office of the Prosecutor is working with the Office of the Prosecutor of the International Criminal for the Former Yugoslavia to prepare for records from the latter to be handed over to the Hague branch. The Hague branch has also been working on enhancing its records management system and procedure and is consulting with the Mechanism's Archives and Records Section and Information Technology Services Section to adopt a system that will be compatible with the future archiving systems of the Mechanism.

V. Activities of the Registry

48. The Registry is responsible for the provision of legal, judicial, policy, diplomatic and administrative support to Mechanism operations.

A. Administration, staffing and facilities

49. As agreed between the two Tribunals and the Mechanism, and in view of the closure of the International Criminal Tribunal for Rwanda at the end of 2015, the Mechanism continued with the establishment of a system of self-administration. The transfer of administrative functions to the Mechanism began on 1 January 2014 and continues to be implemented gradually over the biennium, in step with the downsizing of the Tribunals and with a focus on ensuring efficiency, accountability and consistency.

50. In 2016, the Arusha branch of the Mechanism will assume responsibility for the general services and security functions that are currently being provided by the International Criminal Tribunal for Rwanda. Additionally, the Mechanism has been requested to undertake liquidation activities with respect to the Tribunal during the first half of 2016.

51. As at 30 June 2015, a total of 171 staff (in both posts and providing general temporary assistance positions), had been recruited for the Mechanism: 93 for the Hague branch and 78 for the Arusha branch, including Kigali. The Mechanism's

staff includes nationals of 57 States. Approximately 84 per cent of those recruited were current or former staff of the two Tribunals. Fifty-three per cent of all staff were female and 47 per cent male. For Professional-level staff and above, the figures were 57 per cent female and 43 per cent male.

52. The Hague branch of the Mechanism is co-located with the International Tribunal for the Former Yugoslavia, and will continue to be co-located for the period they overlap. The Mechanism has a strong preference for remaining at its current premises after the Tribunal's closure. Discussions with the host State authorities and the owners of the premises are ongoing, and work on this issue is being coordinated by a working group comprised of representatives of the three organs of the Mechanism.

53. The Arusha branch continues to be co-located with the International Criminal Tribunal for Rwanda, but is expected to move to its new premises in early 2016. The construction phase is ongoing. In February 2015, the Mechanism concluded the contract with a well-established Tanzanian construction company based in Arusha, and ground was broken that same month. The Government of the United Republic of Tanzania has completed the temporary access road to the site, and work on the connection of utilities is in progress. The Mechanism delivers annual progress reports to the General Assembly on the construction project. Moreover, regular updates on the construction progress are posted on the Mechanism's website. The Mechanism is grateful for the cooperation of the Government of the United Republic of Tanzania and for the technical advice of the Secretariat, particularly the Office of Central Support Services and the Office of Legal Affairs.

B. Support for judicial activities

54. The Registry continued to support judicial activities in both branches by preparing and managing court hearings, including the delivery of the appeal judgement in *Augustin Ngirabatware v. the Prosecutor* on 18 December 2014. Additional Registry support included the processing of judicial filings, assigning and remunerating defence teams, and providing translations of correspondence and judicial documents.

55. Further, the Registry continued to support all sections of the Mechanism in the creation of rosters of qualified potential staff from both inside and outside the two Tribunals, in order to ensure that the Mechanism could expand its staffing component rapidly in the event of sudden judicial activity, for instance following the arrest of a fugitive.

56. In addition, the Registry expanded a roster of qualified counsel under rule 43 (B) of the Rules of Procedure and Evidence of the Mechanism who can be assigned to suspects or accused, as well as a roster of duty counsel under rule 43 (C) who are readily available to be assigned to an accused for the purposes of an initial appearance.

C. Support for other mandated activities

1. Witness support and protection

57. Pursuant to its statute and the transitional arrangements, the Mechanism is responsible for witness support and protection functions in relation to thousands of witnesses who have testified in cases completed by the two Tribunals.

58. The Witness Support and Protection Unit is fully operational at both branches of the Mechanism and provides essential protection and support services to witnesses. Consistent with judicial protection orders and in close collaboration with other United Nations entities and domestic authorities, the Unit provides security to witnesses by undertaking threat assessments, coordinating responses to security requirements and safekeeping confidential witness information. In addition, the Arusha branch of the Unit continues to provide support services to witnesses in Kigali, including specialized medical and psychosocial care for witnesses who were victims of sexual or gender-based violence during the Rwandan genocide. Both branches are continuing with the implementation of a pilot study on the long-term impact that testifying before the Tribunals may have on witnesses.

59. At both branches, the Unit continued to contact witnesses in response to requests from national jurisdictions seeking rescission, variation or augmentation of protective measures pursuant to rule 86 of the Rules of Procedure and Evidence of the Mechanism.

60. Finally, as part of the commitment to the maintenance of witness-related records received from the Tribunals, the Unit is in the final stages of establishing a common information technology platform for their respective witness databases.

2. Archives and records management

61. During the reporting period, the Mechanism's Archives and Records Section continued to work closely with the Tribunals on the preparation of their records and archives for transfer to the Mechanism. The Section provided training, advice and practical assistance to Tribunal staff and facilitated both the transfer of active records to Mechanism offices and the transfer of inactive records to the Section itself for storage.

62. It was initially estimated that the archives of the two Tribunals would collectively amount to approximately 15,000 linear metres of physical records. After a more detailed inventory and appraisal, it is now estimated that the total volume will be approximately 10,000 linear metres. The Tribunals' digital archives will contain nearly three petabytes of digital data.

63. Of the estimated total volume of the Tribunals' inactive physical records that are expected to be transferred to the Section when the Tribunals close, the Section had received approximately 75 per cent and 22 per cent from the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, respectively, as at the date of the present report.

64. The Section has also received the first transfers of the Tribunals' digital records and has initiated the procurement of a digital preservation system, including a digital repository, for the preservation of the Tribunals' digital archives.

65. The Section is responsible for the management of temporary repositories for physical records in both Arusha and The Hague, pending the development of permanent repositories in both locations. In Arusha, the Section contributed to the design and development of the new Mechanism premises by preparing specifications and estimates of resource requirements for the building that will house the archives, and is developing a plan for the physical move of the archives in the first quarter of 2016, when the construction of the new facility is scheduled for completion. In The Hague, the Section is contributing to discussions on the future premises of the Mechanism, including facilities for housing the archives.

66. The Section has continued to develop Mechanism records and archives policies, including a policy on access to information, standards for record-keeping metadata, and guidelines on managing digital records. The Section has also implemented the electronic document and record management system for non-judicial records of the Registry and is exploring the feasibility of extending its use to the other organs of the Mechanism. In addition, the Section is providing substantive and technical support to the development of a system for managing the judicial records of both Tribunals and the Mechanism.

67. The Section is responsible for the management of the Mechanism's library, in Arusha, which is one of the premier international law research resources in East Africa. It provides research and reference services to the International Criminal Tribunal for Rwanda and Mechanism staff, as well as to external users, including the general public.

68. Finally, the Section organized the first official exhibition of materials from the judicial archives of the International Tribunal for the Former Yugoslavia. The exhibition attracted a significant number of visitors and was well received.

3. Enforcement of sentences

69. During the reporting period, the Hague branch transferred four convicted persons to enforcement States. At the end of the reporting period, the Arusha branch was enforcing 29 sentences in 2 States, and the Hague branch was enforcing 17 sentences in 11 States. Further, seven convicted persons at the United Nations Detention Facility in Arusha and six convicted persons at the United Nations Detention Unit in The Hague are awaiting transfer to an enforcement State.

70. The Mechanism continued to both seek the cooperation of existing enforcement States in enforcing sentences of the Tribunals and the Mechanism and secure additional agreements to increase its enforcement capacity for both branches. Further, the Mechanism has proposed to some of the enforcement States a new model agreement or amendments to the existing agreements to provide greater clarity on financial matters and the respective responsibilities of the enforcement States and the Mechanism. The Mechanism is grateful to the Member States that are enforcing sentences and those that are considering enforcing sentences in future.

71. Throughout the reporting period, the Mechanism continued to rely on the Department of Safety and Security, the designated official in Mali and the United Nations Multidimensional Integrated Stabilization Mission in Mali for advice and reports on the security situation in Mali, where 16 convicted persons under the responsibility of the Mechanism are serving their sentences.

4. Assistance to national jurisdictions

72. The Registry facilitates requests by national authorities or parties to national proceedings for assistance in connection with domestic proceedings related to the genocide in Rwanda or the conflict in the former Yugoslavia. During the reporting period, the Registry received, considered and responded to numerous requests for assistance, including requests to question detained persons and protected witnesses, to vary protective measures for witnesses and to retrieve and transmit confidential and certified material to national authorities.

5. Monitoring of referred cases

73. Pursuant to article 6 (5) of its statute, the Mechanism is responsible for monitoring cases referred by the Tribunals to national courts, with the assistance of international and regional organizations and bodies. During the reporting period, the Mechanism monitored two of the cases referred to Rwanda through monitors from international bodies and interim monitors provided by the International Tribunal for the Former Yugoslavia and the Mechanism. In March 2015, following the conclusion of a memorandum of understanding with the Mechanism on 15 January 2015, the Kenyan section of the International Commission of Jurists started monitoring the cases referred to Rwanda. The Mechanism is working on establishing a similar monitoring arrangement for the two cases referred to France which, in the meantime, are being monitored by an interim monitor from the International Criminal Tribunal for Rwanda. Public monitoring reports are posted on the Mechanism's website.

6. External relations and information-sharing

74. The Mechanism's multilingual website continues to serve as the virtual face of the institution. The audience grew by 50 per cent, with more than 260,000 page views in the last 12 months. The collection of public materials now includes more than 950 case documents and detailed information pertaining to the work and procedures of the Mechanism. Online information on the search for fugitives was added, and a feature highlighting the unique role of the Mechanism's Archives and Records Section was introduced. Additionally, a project was initiated to integrate a database developed by the Section into the website, which will facilitate access to the judicial records and archives of both the Mechanism and the International Criminal Tribunal for Rwanda. Finally, the webpage on the construction of the Arusha facility was regularly updated to reflect the project's advancement.

VI. Conclusion

75. The Mechanism's progress in completing its judicial and other work swiftly while maintaining the highest of standards underscores its commitment to the mandate entrusted to it by the Security Council and to serving as a model for international criminal justice institutions. As the Mechanism increasingly assumes responsibility for all aspects of the two Tribunals' work, it will continue to focus on completing its mandate in a lean and efficient manner.

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Report of the Secretary-General concerning the credentials of the representative of Chile on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 29 July 2015 from the Permanent Representative of Chile to the United Nations stating that Mr. Edgardo Riveros, Vice-Minister for Foreign Affairs, will represent Chile at the 7499th meeting of the Security Council, to be held on 30 July 2015.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

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